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THE

EXECUTIVE DOCUMENTS

PRINTED BY ORDER OF THE

SENATE OF THE UNITED STATES

FOR THE

FIRST AND SECOND SESSIONS OF THE FORTY-FIFTH CONGRESS,

1877 AND '78.

IN FOUR VOLUMES.

Volume 1 contains Nos. 1 to 9, except Nos. 3 and 4 (1st sess.), and Nos. 1 to 35, except No. 12 (2d sess.).
Volume 2 contains Nos. 36 to 100, except No. 84. ~ 69
Volume 3 contains Nos. 3 and 4 (1st sess.) and No. 84 (2d sess.).
Volume 4 contains No. 12 (Coast Survey Report, 1877).
5 written for So (Mississippi) Bridge

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1877.

INDEX

TO

THE EXECUTIVE DOCUMENTS

OF THE

SENATE OF THE UNITED STATES

FOR THE

FIRST AND SECOND SESSIONS FORTY-FIFTH CONGRESS, 1877-78.

45TH CONGRESS, 1st Session. } SENATE. { Ex. DOC. No. 1.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATED TO

The two Houses of Congress at the commencement of the first session of the Forty-fifth Congress.

OCTOBER 16, 1877.—Read, referred to the Committee on Appropriations, and ordered to be printed.

Fellow-citizens of the Senate and House of Representatives:

The adjournment of the last Congress without making appropriations for the support of the Army for the present fiscal year has rendered necessary a suspension of payments to the officers and men of the sums due them for services rendered after the 30th day of June last. The Army exists by virtue of statutes, which prescribe its numbers, regulate its organization and employment, and which fix the pay of its officers and men, and declare their right to receive the same at stated periods. These statutes, however, do not authorize the payment of the troops in the absence of specific appropriations therefor. The Constitution has wisely provided that "no money shall be drawn from the Treasury but in consequence of appropriations made by law;" and it has also been declared by statute that "no Department of the Government shall expend in any one fiscal year any sum in excess of appropriations made by Congress for that fiscal year." We have, therefore, an Army in service, authorized by law and entitled to be paid, but no funds available for that purpose.

It may also be said, as an additional incentive to prompt action by Congress, that, since the commencement of the fiscal year, the Army, though without pay, has been constantly and actively employed in arduous and dangerous service, in the performance of which both officers and men have discharged their duty with fidelity and courage, and without complaint. These circumstances, in my judgment, constitute an extraordinary occasion, requiring that Congress be convened in advance of the time prescribed by law for your meeting in regular session. The importance of speedy action upon this subject on the part of Congress is so manifest that I venture to suggest the propriety of making the necessary appropriations for the support of the Army for the current year, at its present maximum numerical strength of twenty-five thousand men; leaving for future consideration all questions relating to an increase or decrease of the number of enlisted men. In the event of the reduction of the Army by subsequent legislation during the fiscal year, the excess of the appropriation could not be expended; and in the event of its enlargement, the additional sum required for the payment

of the extra force could be provided in due time. It would be unjust to the troops now in service, and whose pay is already largely in arrears, if payment to them should be further postponed until after Congress shall have considered all the questions likely to arise in the effort to fix the proper limit to the strength of the Army.

Estimates of appropriations for the support of the military establishment for the fiscal year ending June 30, 1878, were transmitted to Congress by the former Secretary of the Treasury at the opening of its session in December last. These estimates, modified by the present Secretary, so as to conform to present requirements, are now renewed—amounting to $32,436,764.98—and, having been transmitted to both houses of Congress, are submitted for your consideration.

There is also required by the Navy Department $2,003,861.27. This sum is made up of $1,446,688.16 due to officers and enlisted men for the last quarter of the last fiscal year; $311,953.50 due for advances made by the fiscal agent of the Government in London for the support of the foreign service; $50,000 due to the naval-hospital fund; $150,000 due for arrearages of pay to officers; and $45,219.58 for the support of the Marine Corps.

There will also be needed an appropriation of $262,535.22 to defray the unsettled expenses of the United States courts for the fiscal year ending June 30, last, now due to attorneys, clerks, commissioners, and marshals, and for rent of court-rooms, the support of prisoners, and other deficiencies.

A part of the building of the Interior Department was destroyed by fire on the 24th of last month. Some immediate repairs and temporary structures have in consequence become necessary, estimates for which will be transmitted to Congress immediately, and an appropriation of the requisite funds is respectfully recommended.

The Secretary of the Treasury will communicate to Congress, in connection with the estimates for the appropriations for the support of the Army for the current fiscal year, estimates for such other deficiencies in the different branches of the public service as require immediate action, and cannot, without inconvenience, be postponed until the regular session.

I take this opportunity also to invite your attention to the propriety of adopting at your present session the necessary legislation to enable the people of the United States to participate in the advantages of the International Exhibition of Agriculture, Industry, and the Fine Arts which is to be held at Paris in 1878, and in which this Government has been invited by the government of France to take part.

This invitation was communicated to this Government in May, 1876, by the minister of France at this capital, and a copy thereof was submitted to the proper committees of Congress at its last session, but no action was taken upon the subject.

The Department of State has received many letters from various parts of the country expressing a desire to participate in the exhibition, and numerous applications of a similar nature have also been made at the United States legation at Paris.

The Department of State has also received official advice of the strong desire on the part of the French government that the United States should participate in this enterprise, and space has hitherto been and still is reserved in the exhibition buildings for the use of exhibitors from the United States, to the exclusion of other parties who have been applicants therefor.

In order that our industries may be properly represented at the ex-

hibition, an appropriation will be needed for the payment of salaries and expenses of commissioners, for the transportation of goods, and for other purposes in connection with the object in view; and as May next is the time fixed for the opening of the exhibition, if our citizens are to share the advantages of this international competition for the trade of other nations, the necessity of immediate action is apparent.

To enable the United States to co-operate in the International Exhibition which was held at Vienna in 1873, Congress then passed a joint resolution making an appropriation of two hundred thousand dollars, and authorizing the President to appoint a certain number of practical artisans and scientific men who should attend the exhibition and report their proceedings and observations to him. Provision was also made for the appointment of a number of honorary commissioners.

I have felt that prompt action by Congress in accepting the invitation of the government of France is of so much interest to the people of this country, and so suitable to the cordial relations between the governments of the two countries, that the subject might properly be presented for attention at your present session.

The government of Sweden and Norway has addressed an official invitation to this Government to take part in the International Prison Congress, to be held at Stockholm next year. The problem which the congress proposes to study—how to diminish crime—is one in which all civilized nations have an interest in common; and the congress of Stockholm seems likely to prove the most important convention ever held for the study of this grave question. Under authority of a joint resolution of Congress, approved February 16, 1875, a commissioner was appointed by my predecessor to represent the United States upon that occasion, and the prison congress having been, at the earnest desire of the Swedish government, postponed to 1878, his commission was renewed by me. An appropriation of eight thousand dollars was made in the sundry civil-service act of 1875 to meet the expenses of the commissioner. I recommend the re-appropriation of that sum for the same purpose, the former appropriation having been covered into the Treasury, and being no longer available for the purpose without further action by Congress. The subject is brought to your attention at this time in view of circumstances which render it highly desirable that the commissioner should proceed to the discharge of his important duties immediately.

As the several acts of Congress providing for detailed reports from the different Departments of the Government require their submission at the begining of the regular annual session, I defer until that time any further reference to subjects of public interest.

R. B. HAYES.

WASHINGTON, *October* 16, 1877.

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During the year ending June 30, 1877, the company expended for the renewal of rails $504,827.13; and in the month of July of present year, $147,244.73; total, $652,071.86. Since July 1, 1876, there have been renewed 5,154 tons of steel rails to August 1, 1877, and during the month of August 985 tons; or, in all, 6,139 tons; and it is expected that an aggregate of 140 miles will be reached for the year 1877 before its close. Steel rails are being placed on the heavy grades and mountain divisions. From 1st of March last to August 1, there have been rerolled at Laramie mill 4,942 tons of iron rails, at a cost of about $15 per ton. On the lighter grades, bad iron is being replaced with the rerolled rails. For the year ending June 30, 1877, ties have been renewed as follows, viz: Pine, 410,721; hard wood, 89,424; total, 500,145; and the renewal is constantly going on.

In the same period of time the company has constructed at its shops: Outfit and boarding cars, 4; small baggage-cars, 2; box freight-cars, 42; total, 48. The company has not a sufficient number of cars of its own to meet the demand for shipment of cattle, but the deficiency is met by the roads leading from Council Bluffs to Chicago sending large numbers of their cars out to points of loading on the Union Pacific Road.

The company has long needed commodious and safe general offices at Omaha. This want is now being met, and when the work on the building shall have been completed the general offices of the company will be exceedingly well and safely provided for.

There had been expended on the general office building at Omaha to August 1, 1877, $13,468.38; amount additional necessary to complete it, $27,000; total, $40,468.38. The building will be amply provided with fire-proof vaults for the safe-keeping and preservation of the company's records, books, papers, &c., and will be very complete in all of its appointments.

The decision of the Supreme Court of the United States, hereinafter mentioned, having determined that the eastern terminus of the road is on the Iowa shore of the Missouri River, and requiring the company to operate its road to said terminus as a continuous line, rendered it necessary for the company to provide a building thereat for the accommodation of its large and growing business, and for the comfort and convenience of the public. The work is under way and rapidly progressing toward completion, and the company has expended on the same to August 31, 1877, $13,208.68; amount required to complete it, $70,000; total, $83,208.68. This work is necessary, and the outlay judicious, as the want of proper accommodations at the terminus of the road has been a constant source of complaint.

During the month of August the Missouri River bridge sustained serious damage. A wind-storm of almost unparalleled force carried away bodily, and cast into the river, the two eastern spans of the bridge. Fortunately, neither the abutment nor piers were injured; and the company at once put in a temporary structure for use until a permanent one can be put in place, which will be done without delay. The accident interrupted business for a time, and occasioned considerable cost to the company. On the 18th of September trains commenced crossing on the temporary structure, and there has been no delay since that time. The temporary structure will cost $31,216.78; amount necessary to replace permanent structure, $50,000; total, $81,216.78.

A large expenditure has been made for the protection of the Missouri River bank on the east side. This was required for the preservation of the eastern approach to the bridge. The total amount expended for

this purpose to August 31, 1877, is $190,992.14, and the tendency of the river to encroach upon its banks will require constant watchfulness and a continuous expenditure in greater or less amount.

During the present year the Missouri River made a "cut off" just north of the cities of Council Bluffs and Omaha, through which an exceedingly rapid and forceful current was set directly against the west bank of the river, threatening the large general shops of the company. The company has expended $30,000 to avert the present danger, and a subsidence of the water has, for the present, afforded relief; but a large expenditure will be required to protect and preserve the shops in their present location. The work will need to be substantial and thorough, and will probably cost about $250,000. The city of Omaha and the Omaha Smelting and Refining Company are both directly interested in averting this danger, and will doubtless provide for the greater part of the necessary outlay. If this should not be done, then the railroad company must elect between paying the entire expense, with the risk of ultimate failure, and a removal of its extensive shops to a more secure locality. In either event the cost to the company must be considerable.

It is the purpose of the company to replace the present wooden bridge over the Loupe Fork of the Platte River with an iron structure; but the estimate of cost is not yet received.

In 1869 the then management of the company contemplated farming out the express business over the road to Wells, Fargo & Co. This was objected to by the Government directors, and finally, on motion of Mr. Wilson, (then and now a Government director,) the company resolved to do its own express business. The result of this action has proved most satisfactory. The earnings from that source have been as follows, viz:

1870	$281,686 00
1871	307,751 00
1872	336,333 00
1873	410,190 00
1874	382,107 00
1875	444,473 00
1876	502,904 00
Total to January 1, 1877	2,665,444 00

The expense, loss, and damage account has been exceedingly light—probably in all, to date given, not exceeding $250,000. In the month of September of the present year a loss fell upon this department of the company's service of some $60,000. A band of train-robbers stopped the express-train, robbed the express-car, and carried off about the amount stated of money being forwarded east. About $20,000 of the money has been recovered to present date, and every effort is being made to recover the remainder. In making the recovery mentioned, two of the robbers were killed.

It would have been well for the company had it pursued the same course with the sleeping-cars on the road that it did with the express department. But, instead of doing so, it contracted this interest away at a very early day in its history. The Pullman sleepers were put upon the road under said contract. The terms of the contract were most favorable to Mr. Pullman. He furnishes the cars, conductors, and porters. The railroad company keeps the cars in repair. The total amount expended by the company for repairs under the contract from time the cars were placed on the road to the present time is $444,595,21. During the last year, the amount expended on reconstruction and re-

pairs was $14,764.32. It would have been far better for the company had it placed its own sleepers on the road, and run the same to its own profit. The present management is anxious to be rid of said contract, and certainly will not renew it, as it is now plain to be seen what a grave mistake was made by entering into it at all. The contract will expire October 1, 1882.

As stated in former reports of the Government directors, the company is operating its own coal-mines. The coal produced during the year was 264,779 tons, at a cost of $1.29½ per ton on cars. Of the amount produced the company used 183,337 tons, and sold for general use 81,442 tons.

The land granted to the company is mortgaged to secure the payment of the land-grant bonds. Number of acres sold, 1,341,779.30; amount due company on contracts, $3,049,134.53. Principal received, $2,618,293.71; interest, $442,681.79; total, $3,060,775.50. Acres sold during last year, 67,971.53; average price per acre, $2.92.

In view of the grasshopper-scourge which has afflicted Nebraska for several years past, the number of acres of land sold by the company during the last year is a gratifying surprise, and now that the scourge seems to have passed away, and immigration is again pouring into the State, the sales in the future must increase rapidly.

The amount of land-grant bonds originally issued was	$10,400,000 00
Amount outstanding June 30th, 1877	7,374,000 00
Amount retired from sales of land	3,026,000 00

Undoubtedly the land-grant will retire the land-grant bonds, and leave a large surplus over for the extinguishment of other indebtedness of the company.

The number and class of employés of the company is as follows, viz:

	No. of men.
In shops at Omaha	725
In shops at Grand Island	15
In shops at North Platte	76
In shops at Sidney	15
In shops at Cheyenne	50
In shops at Laramie	100
In shops at Rawlins	85
In shops at Green River	28
In shops at Evanston	100
In shops at Ogden	15
Engineers	160
Section and track men	1,250
All others	1,350
Total	3,969

This statement does not include coal-miners nor men connected with the Laramie Rolling-Mill, but only railroad employés proper.

In their report of last year, the Government directors criticised the action of the company in reducing the track-force, and said: "There has been too great reduction of the section-gangs, which should be increased by from one to three men to the gang on the greater part of the line. In reducing the track-force, the company has but followed the policy adopted by most railroad companies since the panic of 1873 and the unfriendly legislation of several of the States. There has been a general effort to economize all round, which is well enough in most respects, but in the one indicated is a mistake."

The foregoing statement shows that the company has heeded this criticism, and placed 1,250 section and track men on its line of 1,038 miles, or more than a man to the mile.

The floating debt of the company June 30, 1877, was as follows, viz:

Notes payable		$605,790 45
Omaha drafts		52,118 16
Shoe and Leather National Bank, Boston		50,000 00
Land department, special account		173,600 00
Town-lot department, special account		28,000 00
O. F. Davis, land agent		2,822 42
Land-grant coupons outstanding		4,301 06
Sinking-fund		11,200 00
Interest on fractional certificates		64 00
		927,896 09
Less cash assets:		
Cash	$133,068 36	
Gold account	47,603 42	
Union Trust Company, New York	208,185 18	
Union Trust Company, gold account	102,681 92	
Baker & Morrell	25,000 00	
		516,538 88
Debt over cash assets		411,357 21

The company hold other assets, which, after eliminating from its statement—

Amount from operating department	$2,426,858 36
Amount from half transportation from United States	1,901,677 07
1,265 shares of unissued stock	88,514 18
5,000 Omaha bridge bonds	5,161 35
Wyoming Coal Company stock	100,000 00
13,000 first-mortgage bonds held by the company	13,455 00
1,000 sinking-fund bonds held by company	935 00
First-mortgage-bond coupons held by company	420 00
	4,537,320 96

And taking the company's estimate of the value of the remaining assets embraced in the statement, amount to $3,911,443.85.

These assets consist of stocks and bonds in other railroad companies, telegraph and steamship shares, county bonds issued by counties in Nebraska and Colorado, &c. The railroad stocks and bonds are of companies which the Union Pacific Company have aided in constructing their roads, in order to bring business to its line mainly, though in some cases, but in no great amount, of companies with which it has no connection. It is deemed proper to eliminate from said statement of assets the items specified above, because the amount from operating department would be required to meet payments of dividends and interest falling due in July, the amount due from United States for half transportation, because it is held to await the determination of the suit now prosecuting by the Government for the recovery of five per cent. of net earnings, and to discharge such judgment as may be obtained; the first-mortgage bonds, bridge-bonds, &c., because, if issued, they would be but an addition to the debt of the company; the shares of the company's own stock not issued, as the same may fall under the inhibition of the act of March 3, 1873, and the interest in the Wyoming Coal and Mining Company, because it never should be accounted a distinct asset to be used for the discharge of any indebtedness of the company, and may be entirely destroyed as a distinct property by the result of litigation now pending. But in any event, there is an abundance in the asset-account to extinguish the floating debt, with a remainder over.

Upon the subject of the aid extended by the Union Pacific Company to other companies, the Government directors, in their report for 1873, remarked:

"With regard to the advances which the Union Pacific Company has made in aid of the roads mentioned, we can but repeat what we said in our report of 1872: 'We do not question the wisdom of a policy which tends to secure to the trunk-line the business which the said several roads may command. It could not well afford to have said business diverted from it. The policy, however, should be so ordered as not to interfere with whatever present or future claim the Government may have for re-imbursement.' The ability of the company to make the advances referred to show that it could have returned more to the Government than it has, and raises the question of the power of the company to divert its means into channels not authorized by the law."

The total advances made, and the companies aided, appear in the following table and those in last year's report:

Investment in Summit County Railroad Company: $134,500 bonds; 622 shares full-paid stock; 2,759 shares assessable stock, and valuable coal-lands. Estimated value and cost, $60,000.	
Colorado Central Railroad has been aided to the extent of	$1,610,497 86
Credits secured by Union Pacific Railroad Company	767,156 20
Balance, without interest	843,341 66

The investments in the Utah Central, Utah Southern, and Utah Northern Companies have not been increased during the past year, and remain as stated in the report of the Government directors for the year ending June 30, 1876.

The statement of investments in the Republican Valley Railroad has not yet been received, and will not be in time to be embraced in this report. The Union Pacific Company's investment in this road is regarded as a safe and remunerative one, as very considerable aid has been secured from the counties into which it has been constructed, and the country will supply it with a large local business.

The Utah Central, Utah Southern, and the Colorado Central are the most important of the roads aided. These, and the Utah Northern, are reported quite fully in the reports of the Government directors for the years 1872, 1873, and 1876. The Republican Valley road in Nebraska, and the Summit County road in Utah, involve investments of more recent date.

Aid to other roads is in contemplation by the company; one to the Black-Hills region, and one to secure the business of Montana. The Government directors believe that this policy of the company should at all times be held subordinate to its obligations to the United States. When this is assured, the policy may result in public as well as corporate good. It would seem to be definitely settled that national aid in the construction of railroads, by grants of public lands or otherwise, is at an end. Still, there are important regions of our country to be developed by the construction of railroads. If this can be done by corporations whose interest it is to secure the business of those regions, without endangering repayment to the Government in such cases as that of the Union Pacific Company, an important public interest would be subserved. Wherever railroads go, the Indian question is practically settled. From the vast domain covered by the Union Pacific Road, its connecting lines, and the settlements included by them, Indian troubles have disappeared, and the cost of the Indian service, generally, has been greatly reduced. The roads above mentioned as held in contemplation by the Union Pacific Company would, if constructed, tend strongly to further simplify said service and reduce its cost. If the policy can be carried out without hazard to the claim of the Government, it involves possibilities of great moment to the country at large, and of

almost incalculable advantage to the sections of our Western Territories most directly interested. (See letter of General Crook, at conclusion of this report.)

The extension of the Colorado Central Railroad to a junction with the Union Pacific at Hazzard Station, and with trains running directly to and from Cheyenne, is an enterprise of great importance to the latter, and to the people of Colorado. It will place the business of that State in much better position than it has ever been; for an active competition must result between the Kansas Pacific and Union Pacific Companies for the business of that State, especially the northern portion of it; and harmonious connections between the Union Pacific, the Colorado Central, and the Denver and Rio Grande Companies will secure like advantages to the southern part of the State through the competition which must arise between the roads named and the Atchison, Topeka and Santa Fé Railroad. The Union Pacific Company has no special running arrangements with the several roads hereinbefore named under which earnings are apportioned. Each company makes its own rates, but the relations existing between them are such as to maintain harmony in their business connections, and to enforce a healthy competition with other lines. This must result in great advantage to the people depending on the several lines for transportation to and from points affected by the competition, and tend to develop the resources of the country tributary to the roads.

It is now expected that the Colorado Central will be completed to its connection with the Union Pacific, and trains placed upon the entire line, by the 20th of October, 1877.

The earnings of the road for the year ending June 30, 1877, show a considerable increase over the preceding year, and largely more than any other year in its history.

The gross earnings for the year ending June 30, 1877, were	$13,719,343 82
For the year ending June 30, 1876	12,113,990 69
Increase for the year 1877 over 1876	1,605,353 13
Operating expenses, as claimed by company, for year 1876	5,447,819 27
For 1877	5,402,252 24
Gain for 1877 over 1876	45,567 03
Net earnings for the year 1877	8,317,091 58
Net earnings for the year 1876	6,666,171 42
Increase for 1877 over 1876	1,650,920 16

This is a surprising result, considering the general depression which has rested upon the business of the country, and fully justifies the opinion expressed in former reports by the Government directors relative to the immense possibilities of this road.

The net earnings of the year ending June 30, 1877, being $8,317,091.58, it is readily ascertained what amount is due the Government for the year under the 5-per-centum reservation, as heretofore estimated by the Government directors. The case is this:

Net earnings	$8,317,091 58
Less interest on first-mortgage bonds, reduced to currency at 6 per cent., about the average for the year	1,732,273 20
Net subject to 5 per cent. on above basis	6,584,818 38
Five per cent. on this amount	329,240 91

We understand, however, that the counsel representing the Government in the suit now in progress for the adjustment of the 5 per cent. controversy and for the recovery of the amount due the United States thereon claim that no reduction should be allowed for interest on first-mortgage bonds. If this claim should be sustained by the court, then there should be added to the above	$86, 661 36
Making a total due for the year, under the 5-per-cent. reservation, of	415, 902 27
The amount estimated by an expert of the Treasury Department as due for the year ending June 30, 1876, from the 5 per cent. on net earnings is	391, 565 73
Making, on above basis, an excess for 1877 over 1876 of	24, 336 54

Upon this subject there is a wide difference between the Government and the company, the latter claiming (as the Government directors have stated in two former reports) that, in determining what its net earnings are, it is entitled to deduct from its gross earnings all payments of interest, and all other payments and liabilities coming within the rule laid down in *Saint John* vs. *Erie Railway Company*, 22 Wallace, 136. This controversy has been one of great annoyance and vexation, and it is a cause of great congratulation that it is so near an end by judicial determination.

Should the Government maintain its claim by a judicial construction of the law concerning the five-per-centum clause of the act of July 1, 1862, in harmony with that upon which the Secretary of the Treasury and the counsel conducting the case are insisting, the payment of the resulting judgment is provided for by the terms of the following stipulation entered into between the counsel of the respective parties in the cause, commonly known as the "Transportation case." The stipulation is as follows, viz:

"It is hereby stipulated on behalf of the plaintiffs that no judgment against the United States which may be rendered in this cause shall be collected until after final judgment in the suit brought in the circuit court for the district of Massachusetts by the United States against the plaintiffs, under direction of the act of Congress of June 22, 1874, to recover sums claimed to be due as the 5 per cent. of the net earnings of the railroad of the plaintiffs, and in case of a recovery by the United States in this latter suit, the judgment may be offset against any judgment for the plaintiffs in this cause; but nothing herein shall be construed to affect the right of recovery by either party in either of said suits.

"G. BARTLETT,
"*For the Union Pacific Railroad Company.*
"JOHN GOFORTH,
"*Assistant Attorney-General.*"

The amount covered by this stipulation, added to the amounts which have become due to the company from the United States on account of transportation since the date of the judgment in said suit down to June 30, 1877, is stated to be $1,901,677.07, a sum large enough, it is supposed, to pay a judgment to be rendered on the basis of the claim made by the Government, and largely in excess of one sustaining the company's position. So that, in any event, the judgment will at once be paid.

Section 6 of the act of July 1, 1862, provides that "after the road is completed, until said bonds and interest are paid, at least five per centum of the net earnings of the road shall also be annually applied

to the payment thereof." The date of the completion of the road has been, and still is, a controverted question between the Government and the company. Upon this question the Government directors expressed their opinion in the annual report for the year 1872. From that report the following paragraph is quoted, viz:

"Here arises an important question: Is the road completed? We think it is, within a fair and reasonable signification of the term. In our judgment, it has been completed for a period long enough to embrace the two years ending June 30, 1872."

The Government directors have never changed from this position. This opinion covers the entire period from the connection of the tracks of the Union Pacific Railroad and the Central Pacific Railroad of California in 1869, and is followed by the Government in the preparation of its claim in the suit above referred to. The company has always contested this position of the Government directors; and now that it is maintained by the United States in said suit, the same contest is making therein. The company claims that, because of certain action by Congress in 1869, and subsequent executive action, the date of completion of the road and from which the 5 per cent. of net earnings was to commence running, did not occur until the 1st October, 1874, as determined by a special commission appointed by the President of the United States, (referred to in the report of the Government directors for the year 1874,) if not entirely repealed by implication by the act of July 2, 1864. Happily this and all other questions relative to the 5-per-cent. clause of the act of July 1, 1862, are in process of judicial determination in the suit mentioned, and need not be treated further here.

In their reports for the years 1874, 1875, and 1876, the Government directors treated at some length the relations of the United States and the company growing out of the advance by the former to the latter of bonds to aid in the construction of its road. The total amount of bonds so advanced is $27,236,512.. The duty of the company to re-imburse this amount, with all interest paid and to be paid by the United States, is clear and undisputed. In the reports named the Government directors endeavored to present fully every feature of law and fact springing from the undisputed duty of re-imbursement by the company. It is unnecessary here to retraverse the grounds gone over in those reports. Aside from the consideration of the clear legal duty involved, there are great equities on both sides; but they no more than counterbalance each other, leaving the case still resting on the original legal obligation. As shown in those reports, the Government has received vast remunerative advantages already from the construction of the road, and will, through all the future of the great work, feel in increasing ratio the beneficial results flowing therefrom. On the other hand, the road has, to the surprise of almost every one, proved itself to be a strong, growing, remunerative property, capable of carrying all its burdens and discharging all its obligations. There ought to be no conflict between the United States and the owners of the road. There is no just reason why there should be. The United States advanced the bonds in the sum named, and has paid and is still paying the interest thereon. This is a debt which ought to be paid; but under the decision of the Supreme Court of the United States it will not become due until the maturity of the bonds, thirty years from the date of their issue. To let it run on, accumulating to the end of this time, will be the worst possible policy and ruinous at last. If a just accommodation can be arrived at, for the avoidance of this result, it would be wise for all the parties concerned to avail themselves of it.

The plan suggested by the Government directors in their report for the year 1876 is believed to be a practicable one, which, if adopted, insures absolutely a full return to the Government of every dollar of its investment in the road. That plan differs from all others that have been proposed by the company in two important respects: It proposes to retain the one-half transportation and 5 per centum modes of payment now provided for, and a termination of the sinking fund at the maturity of the bonds, and security for the remainder due and unpaid at that time, the same to be discharged at the rate of not less than one-tenth per annum. A further consideration of the subject has led the Government directors to the conclusion that the said plan can be modified to some extent without being unduly burdensome to the company in the conduct of its affairs, and shorten the time for the full re-imbursement of the Government.

The amount of bonds issued to the company by the United States is..		$27,236,512 00
Interest on the same at 6 per cent. for thirty years		49,026,000 00
Total at maturity of bonds		76,262,512 00
Presuming that the United States will receive a judgment on the basis of its claim in the pending 5 per cent. suit, and estimating upon like basis 5 per cent. of net earnings from commencement of suit to June 30, 1877, the Government will receive from that source to said date about	$2,250,000 00	
And will have paid to said date by one-half transportation about	4,273,705 30	
Or a total of		6,523,705 30
Leaving a total remainder of		69,738,806 70
Estimating the annual average arising from half transportation and 5 per cent., on the basis claimed by the Government in the pending suit for the remainder of the term at $1,000,000, we have a total from these sources of		20,000,000 00
Leaving a balance due the Government at the maturity of the bonds of.		49,738,806 70

How can the payment of this large amount be provided for? It will not be due, under the law as construed by the Supreme Court, until the maturity of the bonds, when there will also be due the first-mortgage bonds, amounting to $27,232,000, or a total of $77,070,806.70.

This is a sum beyond possibility of payment in money without refunding at date of maturity. And the additional practical fact exists that the first-mortgage bonds have precedence of the Government lien. The holders of the first-mortgage bonds are amply secured. The Government alone is in danger of loss. Can this danger be avoided? The Government directors think it can be. The establishment of a sinking fund is a practicable scheme, and opens a way out of this difficulty.

A sinking fund, established on the basis of semi-annual payments of $500,000 each, commencing on the 1st of January, 1878, compounded at the rate of 6 per cent. per annum for the term of twenty years, or until the maturity of the bonds, would give a total result, to be applied to the payment of the Government claim, of $40,418,256.86, and leave still due the Government $9,320,549.84. This balance could be discharged either by the plan suggested in the report of last year, or by the simple operation of the half transportation and 5 per cent. of net earnings, as now provided by law. The adoption of such a plan of adjustment as is here outlined, by the Government and the company, with the approval of Congress, would render the payment of the principal and interest of the bonds advanced by the Government absolutely certain. It would be useless to exact more than the company can perform; and it is not un-

just to require so much as it can comply with without embarrassing its affairs and depriving the owners of the property of a fair return in form of dividends on the capital invested. It is believed that the company can accept and perform the plan here presented.

The net earnings for the year ending June 30, 1877, were		$8,317,091 58
Annual interest, first-mortgage bonds, is	$1,633,920	
Annual interest, sinking-fund bonds, is	1,146,080	
Annual interest, land-grant bonds, is	586,180	
Annual interest, bridge-bonds, is	182,320	
Six per cent. dividend on capital stock, $36,762,300, is	2,205,738	
Estimated average amount to Government from half transportation and 5 per cent. of net earnings	1,000,000	
		6,754,238 00
Leaving a balance over for contingencies, extraordinary betterments, &c., of		1,562,853 58

The company's statement of earnings on account of Government earnings for the year ending June 30, 1877, is as follows, viz:

For troops	$218,272 67
For mail	709,955 00
For freight	402,756 42
Total	1,330,984 09
Of this amount the Government is entitled to retain one-half for its re-imbursement, under existing law	$665,492 04
Amount of 5 per cent. of net earnings for the year, as hereinbefore estimated	329,240 91
	994,732 95

This is within a fraction of the foregoing estimate of the yearly average for the next twenty years. But the account, as charged up for transportation of the mail, rests upon a basis not agreed to by the Government, and the accounting officers of the Treasury will doubtless reduce the amount charged to an allowance considerably below the claim of the company. A full statement of the controversy between the Government and the company is given in the report of the Government directors for the year 1876. If, from any cause, the estimated average aforesaid should be exceeded, the result will be advantageous to the Government, as it will more speedily receive its re-imbursement. The increase in the business, both for the Government and the general public, which will as certainly come in the future as it has in the past, will surely maintain the average stated.

If no definite plan for a permanent and final adjustment of the relations existing between the Government and company, relative to the full re-imbursement of the former on account of the subsidy bonds issued to the latter be adopted, then the Government directors would respectfully suggest that Congress be recommended to pass an act authorizing the Secretary of the Treasury to receive from the company, from time to time, such sums as it may elect to pay into his hands, for the establishment of a sinking fund for the extinguishment of the liability of the company to the Government on account of said bonds. It is believed that the company would at once, upon the determination of the 5 per cent. suit, avail itself of such a provision of law and commence payments under it for the purpose named. Such a plan would be a great improvement on the present want of one, and would be preferable to the establishment of a voluntary sinking fund, with its funds remaining in the hands of the company and subject to its control.

The company is still beset with litigation growing out of some of the transactions of its earlier history. One of the most important suits

now pending is that of Thomas Wardell *vs.* The Union Pacific Railroad Company and others, in the circuit court of the United States for the district of Nebraska. This case is based upon a contract made between the Union Pacific Company and Cyrus O. Godfrey and Thomas Wardell, July 16, 1868, relative to the coal lands of the company, the supplying of the company with fuel, the transportation of coal, &c., and became the basis of the organization of the Wyoming Coal and Mining Company. This subject was fully reported on in the reports of the Government directors for the years 1872, 1873, 1874, and 1875. The Government directors have resisted this contract from the time it first came to their knowledge in 1869. Their reasons therefor are stated at length and in detail in their report for 1872. Nothing effective came of this resistance until 1874, when the present management entered upon the control of the affairs of the company. The action then taken is thus given in the report of the Government directors for that year, viz:

"The Union Pac fic Railroad Company has taken possession of all the coal-mines heretofore in the possession of the Wyoming Coal and Mining Company, and is now working them as its own property. This has caused a resort to legal proceedings against the company by Thomas Wardell, which, if properly and earnestly resisted by the railroad company, will, in our judgment, result in the defeat of Wardell's pretensions, and in the anulment of the so-called contract under which the Wyoming Coal and Mining Company long held possession of the vastly-valuable coal-lands of the Union Pacific corporation. The contract is copied at length in the report of the Government directors for 1872, and the legal proceedings above referred to were brought to the attention of the Secretary of the Interior by special communication in September last, in which was inclosed a copy of Mr. Wardell's bill of complaint, with the suggestion that the subject be brought to the attention of the Attorney-General, with a view to having instructions given to the United States attorney for the district of Nebraska to give his attention to the case."

As hereinbefore shown, the company produced for its own consumption, for the year ending June 30, 1877, 183,337 tons of coal, at a cost of $1.29½ per ton, or an aggregate cost of $227,473.41. The price which the company would pay under the contract for coal for that year would be $4 per ton, or an aggregate for the year of $733,348, making a difference in the fuel-account (which of course would be charged to operating-expenses) of $505,875 for a single year. This, if enforced by a decree of the United States courts, would make a difference in the 5-per-cent. account of the Government on net earnings of $25,293.75. The contract extends over a term of fifteen years, and the price per ton is scaled from $6 to $3; and although the consumption of coal by the company in former years was not as great as in the last year, it will be greater in the future. Taking this fact and the average price per ton under the contract, it is safe to say that the difference per year for the full term would be as great as that of last year. This would give for the full term a difference of $7,588,125, and, if this be allowed as a deduction in determining the 5-per-cent. return to the Government, it would make a difference in that account of $379,406.25. The contract was an inexcusable iniquity from the beginning, and it is greatly to be desired that the pending case may rid the company of it forever. The company is making a determined resistance to the affirmance of the contract. The case was argued and submitted at a special term of the circuit court in June last, and a decision is expected in November; but whatever it may then be, it is not probable that the case will be finally determined short of a review on appeal by the Supreme Court of the United States.

Two other cases, growing out of old construction-contracts, are pending in the supreme court of Illinois on appeal. These are the cases of Miller *et al. vs.* The Union Pacific Railroad Company, in each of which the amount claimed is $100,000. These cases were instituted in the circuit court of Winnebago County, Illinois. In one of these cases a judgment was recovered for $100,000, and in the other for $64,000. These cases have some very peculiar features, which, as they are still pending in the appellate court, it is better not to discuss in this report. A reversal of these cases is confidently expected, and if this expectation is realized, it must result in the absolute defeat of the claims. These cases, growing out of construction, involve the 5-per-cent. account to the extent of $7,200, but it is confidently expected that they will be defeated. In the three foregoing cases, one of the undersigned (Mr. Wilson) is retained by the company as special counsel.

Other litigation is pending in Massachusetts, in which it is expected that about all of the controversies remaining over from the complications growing out of construction will be finally determined and put at rest.

During the year covered by this report, the company continued its policy of paying quarterly dividends of 2 per cent., making 8 per cent. per annum. In the report for 1876, this subject was referred to in the following language, viz: "The Government directors have not approved the dividend policy of the company. They have held that the amounts heretofore claimed as due to the Government on re-imbursement account, under the several provisions of law establishing and regulating the same, should be regularly paid before the declaration of dividends." This position is here re-affirmed.

In the reports of 1872, 1873, 1874, 1875, and 1876 the Government directors called attention to the importance of a more thorough localization of the general business management of the road. Without repeating what was said on this subject in said several reports, a full re-affirmance of the same is here made. The improvements which have, in this regard, followed the several visits of the president and other members of the board of directors to the line of the road under the present management, have confirmed the undersigned in their position. The constant presence of complete power on the line of the road would greatly promote the interests of all concerned.

In their report for 1875, the Government directors called the attention of the Secretary of the Interior to the great and growing importance of the grazing interests of the plains; they said: "The herds on the plains of the Platte are constantly increasing, while the aggregate number of cattle is becoming fabulous. The plains west of Kearney Junction will soon become one of the chief sources from which the eastern markets will be supplied with beef-cattle. These plains furnish unsurpassed grazing-range, and the lands belonging to the Government and to the company ought to be placed under some well-devised system of pasturage, from which profit could be secured to both. We would respectfully call the attention of the Government and the company to this exceedingly important subject, hoping that some system may be devised whereby the growth of cattle may be fostered and the lands made immediately remunerative."

Persons engaged in raising cattle upon the plains feel the great importance of this subject, and the expression from them is very strongly in favor of some organized system which shall give greater security and permanency to the business. A very intelligent gentleman, engaged in raising cattle, in a letter upon this subject, says: "I wish to call your attention to a matter of growing importance to the stock-interests of

this section. Under existing laws, one man can only attain title to one section of land in a body within the Pacific Railroad limits, *i. e.*, a man can purchase a full section from the railroad company, but it is surrounded on all sides by Government land, which is only open to homesteads and pre-emptions. It has been fully demonstrated that lands west of the one hundredth meridian are only fit for grazing purposes, and can only be utilized as grazing-lands when held in large tracts or ranges. The quantity of land required to support an animal by grazing alone is so great, that it would be impossible to purchase the lands at the Government price, or at any price that would look reasonable. The result is, that no lands are sold, and the stock-raisers occupy the lands without any legal rights, while the Government and the railroad company get no compensation. One evil that grows out of this system is, that the stock-grower, having no defensible right to his range, does nothing toward improving or fencing it. His buildings and corrals are of the most temporary nature, and he is prepared at any time to move his herds wherever better ranges or less crowded pastures offer.

"Another evil arising from this system is, that during the winter cattle drift before the storms, and herds, getting together in large numbers, suffer for want of grass; and in providing for this contingency it is necessary to keep a much more limited number of cattle on the range than could be supported if the cattle could be kept separated by fences.

"I think the following plan would entirely counteract all the evils mentioned, and would make a return to Government and railroad company from lands that otherwise will always remain unsold and valueless. The Government and railroad company jointly lease to responsible stock-growers all lands lying west of the one hundredth meridian of longitude in blocks of, say, from 50 to 500 square miles, at such an annual rental, and for such term of years, and with such other restrictions as will best protect the interest of the Government and railroad company, and will give the stock-raiser such a right to his range as will protect him from encroachment, and warrant him in fencing his range, besides making permanent investments in corrals and ranche buildings. The arguments in favor of some such plan as this are so many, and the objections so few, that it seems to me only necessary to have it presented to Congress in proper form to insure its adoption. The enormous increase of the cattle-interest on the western plains, and the present chaotic state of the grazing system demand that some intelligent action should be taken at once."

The suggestions here made are important, and the subject to which they relate should receive attention, and the Government directors would advise that it be brought to the attention of Congress, with a view to the adoption of some plan whereby the stock-raising interests of the western plains may be permanently and economically organized. The present land laws are wholly inadequate to reach the end. They are framed to meet the requirements of agriculture and mining, and they should now be so adjusted as to meet the new demands of the grazing-interests. There is no good reason why the grazing-lands of the Government and of the railroad company should not yield a revenue to each. Stock-raising on the plains is one of the most profitable pursuits on the continent, is well able to pay reasonably for the use of the lands, and is understood to be quite willing so to do.

The shipments of beef-cattle from the line of the Union Pacific Railroad, for the year 1877, to August 1, were as follows:

Number of cars	823
Number of cattle	16,410

From information gathered during their late progress over the line, the undersigned are of opinion that 75,000 head of beef-cattle will be shipped from the line of the road this year. The interruption to shipment by the accident to the Missouri River bridge may reduce this number, but certainly not materially.

An important market for the beef of the plains is developing in England and Scotland, and will doubtless soon appear on the continent of Europe. The shipment of slaughtered animals and live stock to those countries is a new enterprise, but its growth is rapid. In 1876 the exports of slaughtered animals were $1,855,191. In 1877, to July, the figures swelled to $4,962,850 for slaughtered animals, and over $522,000 for live stock, or a total for the period named of $5,584,850, being an increase for one-half of 1877 over 1876 of $3,629,659. It requires no argument to prove that this class of exports is destined soon to become an important factor in our foreign trade; Europe will throw open its doors to our cheap meats when they can now be placed in her markets as fresh as from her own stalls and fields. The source of supply for this cheap meat will be largely and mainly the region traversed by or tributary to the Union Pacific Railroad. Much of the great sections of Texas and the Indian Territory, from whence now come vast supplies of live stock, will in time be devoted to agriculture. This cannot be the case on the grazing-plains of the West. Hence the greater importance of the suggestion made relative to the adoption of some system for the better organization of the grazing-regions of the west. This consideration, added to the fact that in effecting the former result a new source of public revenue may be established, gives the subject double interest, and would seem to amply justify the suggestion already made, that the matter be brought to the attention of Congress. Doubtless the company would readily co-operate in any well-considered scheme for effecting this result.

It is provided in the thirteenth section of the act of July 2, 1864, that "the Government directors shall, from time to time, report to the Secretary of the Interior, in answer to any inquiries he may make of them touching the condition, management, and progress of the work, and shall communicate to the Secretary of the Interior at any time such information as should be in the possession of the Department. They shall, as often as may be necessary to a full knowledge of the condition of the line, visit all portions of the road, whether built or surveyed."

As far as the present Government directors are advised, (and one of them has been in continuous service since 1869,) there has never been but one inquiry made under this provision of law, nor in pursuance of any other, nor on any account whatever. In 1871, an active controversy arose concerning the eastern terminus of the road. The then Secretary of the Interior addressed a communication to the Government directors, requesting them to examine the question involved in said controversy, and to report to him their opinion as to where the law fixed the eastern terminus of the road. The Government directors, after considering the question, reported that the terminus was on the Iowa shore of the Missouri River. This, of course, included the bridge across said river, and its approaches, and made them a part of the main line to be operated as a continuous part thereof. This opinion was followed by the accounting-officers of the Government, so far as United States transportation was concerned; but no action was taken to enforce it as to the rights of the general public. Private parties instituted *Union Pacific Railroad Company* v. *Hall et al.*, (1 Otto, 343,) in which case, after persistent resistance by the company, the Supreme Court of the United States took the same view that had been reported by the Government directors,

and held "that the legal terminus of the railroad is fixed by law on the Iowa shore of the river, and that the bridge is a part of the railroad; there can be no doubt that the company is under obligation to operate and run the whole road, including the bridge, as one connected and continuous line." The road is now so operated, and commodious buildings are in course of erection on the east side of the river for the accommodation of the business, as hereinbefore stated.

All or part of the Government directors have made at least annual visitations of the entire line of the road. They have made annual reports to the Secretary of the Interior, in which they have endeavored to give full expositions of the road, its condition, of improvements needed and of improvements made, of the things possible to be realized from it, of the policies of the company, of controverted questions both as to accounts and management of the property of the company, of disagreements as to the construction of the laws governing the relations and determining the rights of the Government and the company.

Indeed, it may safely be stated that not a question of controversy between the Government and company has escaped mention in one or more of the reports. The reports from 1871 down to and including the one for 1876, and excluding the present one, reduced to print in the ordinary executive-document form, would cover nearly or quite one hundred and fifty pages. They are filled with information in general and in detail, derived, in great part, from personal contact with the subjects treated of, and made with a purpose to have them as exact as such documents can be made. The filing of these reports has been, practically, their end. In many instances important recommendations have been made, with a view to the better management of the property, its business and affairs They have rested with the reports.

These statements are not made in the spirit of complaint. The fault has arisen mainly, no doubt, from the defective character of the law. The law requires certain reports to be made by the company to the Government, but has provided no means for the utilization of the reports when made, and the same defect exists as to the reports of the Government directors. If the present relations existing between the Government and the company are to continue, some remedy should be devised for the defect mentioned. All matters relating to the connection of the Government with all of the railroad companies that have received United States bonds in aid of the construction of their respective roads ought to be organized in a special bureau in the Interior Department, in charge of a competent and responsible head. The Government directors are aware that the present Secretary of the Interior has considered this definite subject, and probably has arrived at, or doubtless will arrive at, a wise conclusion in general and in detail, and here the subject may be safely left. The Government directors can but express satisfaction with the fact that special thought is now given to this important subject. The interests involved are very great, far more so than many others which have been accorded special supervision since the foundation of the Government.

JAMES F. WILSON.
FRANCIS B. BREWER.
J. H. MILLARD.
JOHN C. S. HARRISON.
DANIEL CHADWICK.

HON. CARL SCHURZ,
Secretary of the Interior.

Copy of a letter of General George Crook.

HEADQUARTERS DEPARTMENT OF THE PLATTE,
COMMANDING GENERAL'S OFFICE,
Omaha, Nebr., October 9, 1877.

SIR: Referring to your communication of the 8th instant, stating that the managers of the Union Pacific Railroad propose building two branches from the main line, the initial of one east of Sherman, Wyo., with its objective point at or near Boseman, Mont., the other to start at or near Rawlings, Wyo., and join eastern branch at its terminus in Montana; the eastern branch passing through the Black Hills, and the western through the Wind River country. You request my opinion on the points explained in the following answers.

They will have a most salutary and positive effect in settling our Indian troubles, thereby saving large expenditures of public funds. They will invite to and open up for settlement most valuable farming and grazing lands; aid in the discovery of new mining sections, and promote the development of valuable mineral resources already discovered. They will save the public treasury vast amounts in economy in transportation of military supplies, troops, and mails. From my personal knowledge of the country through which the proposed lines will pass, I regard the project as eminently practicable and more easily accomplished than many of the works of similar character now in successful operation in the country west of the Mississippi.

I have confined my reply to the questions embraced in your letter, but under the head of gain, &c., I would say generally that I know of no proposed enterprise more important to the vast country they will open up, nor any that will be of more positive and enduring good to the whole country. They will, when completed, be of national importance and benefit.

I have the honor to be, very respectfully, your obedient servant,

GEORGE CROOK,
Brigadier-General, U. S. A.

Hon. J. H. MILLARD,
Government Director Union Pacific Railroad, Omaha, Nebr.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATING

Information in answer to a Senate resolution of November 8, 1877, in relation to an alleged unlawful rescue, by an armed band from Mexico, of prisoners lawfully confined in the jail at Rio Grande City, Tex.

NOVEMBER 14, 1877.—Read and referred to the Committee on Foreign Relations and ordered to be printed.

To the Senate of the United States:

In answer to the resolution of the Senate of the 8th instant, I transmit, herewith, a report from the Secretary of State.

R. B. HAYES.

WASHINGTON, *November* 14, 1877.

DEPARTMENT OF STATE,
Washington, November 13, 1877.

The Secretary of State, to whom was referred the resolution of the Senate of the 8th instant, requesting the President to communicate to that body any facts in his possession "touching an alleged unlawful and forcible rescue, by an armed band organized in the republic of Mexico, of two prisoners lawfully confined in the jail of Starr County, Texas, in Rio Grande City, and which prisoners are alleged to have been unlawfully and forcibly released from said jail by said armed band on the night of the 11th of August, 1877, and carried beyond the limits of the State of Texas and of the United States, and into the republic of Mexico, and which armed band is charged with wounding certain citizens of Texas in releasing said prisoners," and to advise the Senate "what steps, if any, have been taken to secure the arrest and delivery of said rescued prisoners, and the arrest and delivery of said jail-breakers, and the result of said efforts," has the honor to report that the desired information was contained in a report made to the President on the 12th instant, in answer to a resolution of the House of Representatives, dated November 1, 1877.

Respectfully submitted.

WM. M. EVARTS.

To the PRESIDENT.

O

45TH CONGRESS, 1st Session. | SENATE. | EX. DOC. No. 6.

REPORT

OF

THE SECRETARY OF THE NAVY

COMMUNICATING,

In answer to a Senate resolution of November 12, 1877, information in relation to the execution of the law prohibiting the promotion of officers of the Navy until they have been examined by a board of naval surgeons.

NOVEMBER 14, 1877.—Referred to the Committee on Naval Affairs and ordered to be printed.

NAVY DEPARTMENT,
Washington, November 14, 1877.

SIR: I have the honor to acknowledge the receipt of the following resolution of the Senate of the United States, adopted on the 12th instant:

Resolved, That the Secretary of the Navy be instructed to inform the Senate whether the provisions of sections 1493 and 1494 Revised Statutes of the United States, providing that no officer of the Navy, except in the case therein named, shall be promoted to a higher grade until he has been examined by a board of naval surgeons and pronounced physically qualified to perform all his duties at sea, are complied with; if such boards are convened and all cases of officers proposed for promotion are referred to them; what is the character of examination practiced by such boards; if it is the same for all grades; and if in the knowledge and judgment of the Secretary such boards strictly perform their duties under such sections; or if further legislation is necessary to protect the active-list of the Navy from promotions of officers physically unfit for duty at sea.

By an order of the Secretary of the Navy of August 7, 1869, the naval medical board were directed, in the physical examination of such officers as were candidates for promotion, to cease making a "personal inspection of the body" after the candidate "has attained the grade of ensign." They were, however, required to refer to the records of the Navy Department and of the Bureau of Medicine and Surgery to ascertain their condition of health; and where physical defects were supposed to exist the necessary instructions were to be issued by the Department to secure conformity to the law regulating the retirement of officers. In addition, however, candidates were required to certify on honor that they were "physically qualified to perform all the duties of a naval officer at sea." A copy of this order is hereto attached, marked "A."

This order was revoked by a subsequent one of March 10, 1875, which still required the certificate of the candidate, as well as reference to the records of the Department and of the Bureau of Medicine, and provided that "all unnecessary personal inspection of the body of candidates should be avoided," but, when necessary, the board were empowered

to make such inspection as was deemed satisfactory. This order remains in force. A copy of it is also attached hereto, marked "B."

By the accompanying report of the board of medical inspectors, dated November 13, 1877, and hereto attached, marked "C," it will appear that the board is now organized in obedience to sections 1493 and 1494, title 15, chapter 4, of the Revised Statutes, and that all the provisions of the statute "have been complied with in every particular."

All cases of officers, whatever the grade, proposed for promotion are referred to these boards of medical examiners, whose examinations are in accordance with the foregoing orders; that is, of such a character as will enable them to pronounce the candidate "physically qualified to perform all his duties at sea," except in those cases where "physical disqualification was occasioned by wounds received in the line of duty," &c., as provided in section 1494 of the statute.

In further response to said resolution, the Secretary of the Navy has the honor to say that he has no knowledge of any instance in which the board of medical examiners have failed to perform their duties in conformity to law; and that, in his judgment, no such instance exists, because none such has been brought to his notice. He is, therefore, of opinion that no additional legislation is necessary "to protect the active-list of the Navy from promotions of officers physically unfit for duty at sea."

I have the honor to be, very respectfully,

R. W. THOMPSON,
Secretary of the Navy.

Hon. WILLIAM A. WHEELER,
Vice-President of the United States.

A.

NAVY DEPARTMENT,
Washington, August 7, 1869.

SIR: It is ordered that the following directions be observed in the physical examination of officers:

Examination by personal inspection of the body of the candidate for promotion will cease after the individual has attained the grade of ensign. The records of the Navy Department and of the Bureau of Medicine and Surgery will be referred to in evidence of the candidate's condition of health.

In case where physical defects are supposed to exist, such as will disqualify an officer for performing the active duties of his profession, the Department will issue the necessary order to conform to the law regulating retiring of officers.

Candidates will be required to fill up and sign the following form, viz: "I certify on honor that I am, to the best of my knowledge and belief, free from bodily ailments that I am physically qualified to perform all the duties of a naval officer at sea."

Respectfully,

GEO. M. ROBESON,
Secretary of the Navy.

Surgeon D. S. EDWARDS, U. S. N.,
President Examining Board, Washington, D. C.

I hereby certify that the above is a true copy of the original on file in this office.

B. F. GIBBS,
Medical Inspector.

B.

NAVY DEPARTMENT,
Washington, D. C., March 10, 1875.

SIR: The letter of the Department to Surgeon D. S. Edwards, dated the 7th of August, 1869, prescribing directions to be observed in the physical examination of officers

is hereby revoked. The certificate of candidates prescribed in said letter will still be required as therein provided, and the records of the Department and of the bureaus will still be referred to for any information which may be necessary or desirable. All unnecessary personal inspection of the body of candidates should be avoided, but when necessary the board are entitled to make such physical examination as is proper and necessary to satisfy their mind upon the subject for their decision.

Very respectfully,

GEO. M. ROBESON,
Secretary of the Navy.

Medical Inspector GEORGE PECK, U. S. N.,
President Medical Examining Board.

The above is a true copy of the original.

B. F. GIBBS,
Medical Inspector, U. S. N.

BOARD OF MEDICAL EXAMINERS,
NAVY DEPARTMENT,
Washington, D. C., ——— 1877.

I hereby certify on honor that I am, to the best of my knowledge and belief, free from all bodily ailments; that I am physically qualified to perform all the duties of a naval officer at sea.

(Signature) ——— ———,
(Rank) ——— ———.

A true copy.

T. J. TURNER,
Medical Inspector, U. S. N.

C.

NAVY DEPARTMENT,
Washington, D. C., November 13, 1877.

SIR: In reply to the resolution of the Senate of November 12, 1877, we, the members of the naval medical board for promotion, respectfully state, that, so far as its present organization is concerned, sections 1493 and 1494, title 15, chap. 4, Revised Statutes, have been complied with in every particular.

The character of the physical examination before the board is exhibited in the accompanying letters, A and B, which are copies of the originals on file, and which are the only existing orders of the Department upon the subject.

Very respectfully submitted.

THOMAS J. TURNER,
Medical Inspector, U. S. N.
B. F. GIBBS,
Medical Inspector, U. S. N.

Hon. R. W. THOMPSON,
Secretary of the Navy, &c.

45TH CONGRESS, 1st Session. } SENATE. { EX. DOC. No. 7.

LETTER

FROM THE

SECRETARY OF THE INTERIOR,

TRANSMITTING,

In compliance with a Senate resolution of November 8, 1877, information in relation to the Northern Pacific Railroad.

NOVEMBER 15, 1877.—Referred to the Committee on Railroads and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., November 14, 1877.

SIR: Pursuant to Senate resolution of the 8th instant, I have the honor to transmit herewith copy of the report of the Commissioner of the General Land Office, under date of yesterday, concerning the Northern Pacific Railroad, under the several heads specified in the resolution.

I am, sir, very respectfully, your obedient servant,

C. SCHURZ,
Secretary.

Hon. WILLIAM A. WHEELER,
Vice-President, and President of the Senate.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 13, 1877.

SIR: I have the honor to acknowledge the receipt of Senate resolution of the 8th instant, requiring the Secretary of the Interior to communicate to the Senate a statement of the number of miles of railroad completed by the "Northern Pacific Railroad Company under and in pursuance of the acts and resolutions of Congress making grants of land to such company, and where constructed, and whether in a continuous line; and also what changes, if any, have been made by such company in the location of the line of their road, or any part thereof, and when made, and whether such changes have been recognized and approved by the Commissioner of the General Land Office, or the Secretary of the Interior; and also a full statement of the number of acres of land patented to such company under the acts and resolutions making a grant of lands in aid of the construction of said railroad, and where such lands are located."

In answer, I respectfully report the following:

1. *Miles of road completed:*

	Miles.
Minnesota division, a continuous line of	228
Dakota division, a continuous line of	196.4
Washington Territory, a continuous line from Kalamo to Tacoma	106.1
Total	530.5

2. *Change of road-line:*

In Minnesota, through the counties of Carlton, Itasca, Cass, and Wadena, map of which was approved by the department October 22, 1870, and the withdrawal of the lands made by this office November 7, 1870.

3. Amended line of road from the eastern boundary of Washington Territory to a point opposite the mouth of the Walla Walla River, map of which was approved by the department February 21, 1872, and the lands withdrawn by this office March 30, 1872.

4. The number of acres of land patented make the total area of 743,493.44 acres, which are located in Minnesota.

In this connection I desire to state that by letter of Charles B. Wright, president of the company, dated the 9th instant, he states that 31 miles of said road have been constructed eastwardly from Tacoma, in Washington Territory, upon the branch line, as shown on map filed by the company August 9, 1876, but which has not as yet received the final approval of the department, but no evidence thereof has been submitted.

The resolution and wrapper are herewith returned.

I am, sir, very respectfully,

J. A. WILLIAMSON,
Commissioner.

Hon. C. SCHURZ,
Secretary of the Interior.

O

45TH CONGRESS, 1st Session. } SENATE. { Ex. DOC. No. 8.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

Copy of a communication from Major-General Hancock, U. S. A., suggesting an amendment of the 104th Article of War, in relation to the execution of the findings of courts martial.

NOVEMBER 19, 1877.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT,
November 15, 1877.

The Secretary of War has the honor to transmit to the United States Senate, copy of letter from Maj. Gen. W. S. Hancock, United States Army, suggesting a change in the 104th Article of War, and invites attention to the remarks of the Judge-Advocate-General thereon.

GEO. W. McCRARY,
Secretary of War.

HEADQUARTERS MILITARY DIVISION OF THE ATLANTIC,
New York, October 11, 1877.

SIR: Among the changes of language introduced into the Articles of War by which the Army is now governed, is one of considerable importance, to which I do not understand that attention has heretofore been invited. By the 65th article (O. S.) it was provided that no sentence of a court-martial "shall be carried into execution until after the whole proceedings shall have been '*laid before*' the officer ordering the same," &c.

This did not require that the *whole proceedings* should be *approved* before a sentence could be executed, and therefore it has been of common occurrence for the reviewing authority to order the execution of a sentence, notwithstanding his disapproval of a part of the proceedings and findings. It was only necessary that the approved part of the proceedings should be sufficient to sustain the sentence.

Now, however, it is provided by the 104th Article of War that no sentence shall be carried into execution "until the *whole proceedings* shall have been *approved*."

It was, of course, not the intention to change the law, and no change has been introduced in practice; nevertheless, in the language of the present law, there is no authority for the execution of a sentence unless the *whole proceedings* are approved, and for this reason I believe it to

be desirable that the language of the old article be restored. I would suggest, therefore, that the matter be brought to the attention of Congress.

Very respectfully, your obedient servant,

WINF'D S. HANCOCK,
Major-General-Commanding.

To the ADJUTANT-GENERAL,
United States Army, Washington, D. C.

BUREAU OF MILITARY JUSTICE,
November 6, 1877.

Respectfully returned to the General of the Army.

I concur entirely with the view of Major-General Hancock, that the 104th Article of War calls for amendment by Congress. The change from the old 65th article was unfortunate and probably inadvertent. It has altered the language of the statute without modifying the practice under it, a practice which indeed could not be modified without great embarrassment to the administration of military justice. The simplest and best amendment which I could suggest would be to strike from the article the words "*whole proceedings*," and substitute the word "same." The proper object of the enactment, as I understand it, is to require that the sentence should in all cases receive the personal formal approval of the officer who convened the court, or the officer who may meanwhile have succeeded to the command. It is not necessary specifically to require, (as in the old article,) that the proceedings should be "*laid before*" the reviewing officer, since this must be done in any event and of course.

The amendment suggested, therefore, will, it is believed, most simply meet the legal requirement; and the adoption of some such amendment is accordingly urged.

W. M. DUNN,
Judge-Advocate-General.

O

45TH CONGRESS, 1st Session. } SENATE. { Ex. Doc. No. 9.

LETTER

FROM

THE SECRETARY OF WAR,

COMMUNICATING

A copy of a report of the Chief of Ordnance on House joint resolution No. 37, to authorize the Secretary of War to issue certain arms to the Washington Light Infantry of Charleston, S. C., and recommending the passage of the resolution.

NOVEMBER 20, 1877.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT,
November 19, 1877.

The Secretary of War has the honor to transmit to the United States Senate and House of Representatives a copy of a report of the Chief of Ordnance on joint resolution (H. Res. 37) "to authorize the Secretary of War to issue certain arms to the Washington Light Infantry of Charleston, S. C.," and to recommend the passage of the resolution.

GEO. W. McCRARY,
Secretary of War.

To the PRESIDENT *of the United States Senate.*

ORDNANCE OFFICE, WAR DEPARTMENT,
Washington, November 16, 1877.

Respectfully returned to the Secretary of War.

The State of South Carolina has already overdrawn its quota, under the law for arming and equipping the militia, $84,821.88. Should the inclosed joint resolution pass, the value of the 120 arms and sets of accouterments ($2,551.20) would be added to the above amount, and under the operation of existing laws the United States will be gradually reimbursed.

I am credibly informed that there are but few arms under the control of the State of South Carolina, yet in the present state of the accounts urgent applications for arms from the State authorities have to be refused.

I am advised that the Washington Light Infantry have gone to much expense in fitting up an armory, &c. The retention of the arms and accouterments by them will, by example, promote that spirit for

voluntary military organization and exercise in time of peace which will insure us good soldiers in time of war; and in this view of the case, and from the fact that the arms and accouterments were loaned to them under Congressional sanction, I would recommend that you give your sanction to the measure proposed by the joint resolution.

S. V. BENET,
Brigadier-General, Chief of Ordnance.

O

45TH CONGRESS, 2d Session } SENATE. { Ex. Doc. No. 1.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING,

In compliance with law, a statement of expenditures at the Springfield Armory, and of the arms, components of arms, and appendages fabricated, altered, and repaired, during the year ended June 30, 1877.

DECEMBER 7, 1877.—Ordered to lie on the table and be printed.

WAR DEPARTMENT,
Washington City, December 6, 1877.

The Secretary of War has the honor to transmit for the information of Congress, in compliance with section 1665 of the Revised Statutes, a statement exhibiting the expenditures at the National Armory, Springfield, Mass., and the arms, components of arms, and appendages, fabricated, altered, and repaired thereat, during the fiscal year ending June 30, 1877.

Respectfully submitted.

GEO. W. McCRARY,
Secretary of War.

To the PRESIDENT
Of the United States Senate.

Statement of expenditures at the Springfield Armory, and of the arms, components of arms, and appendages fabricated, altered, and repaired, during the year ended June 30, 1877, in pursuance of section 1665 Revised Statutes.

EXPENDITURES.

Appropriations.

Ordnance, ordnance stores, &c	$8,449 05
Arming and equipping the militia	98,224 61
Manufacture of arms at the National Armory	100,000 00
Repairs, &c., at Springfield Armory	14,860 39
Total	221,534 05

Manufactured arms.

1,[illegible] Springfield rifles, caliber .45.	140 Springfield officers' rifles, caliber .45.
1,[illegible] Springfield cadet rifles, caliber .45.	44 fencing-muskets, with bayonets.
1,0[illegible] Springfield carbines, caliber .45.	10,713 steel bayonet-scabbards.

Appendages for small-arms.

11,456 screw-drivers, altered.
40 drifts for Gatling guns.
15,707 headless cartridge-shell extractors.
4,556 jointed ramrods, steel.
108 wiping-rods, carbine.
1 wooden ramrod, jointed.

Ammunition.

500 rifle-ball cartridges, caliber .45.

Spare parts of Springfield rifle, caliber .45.

372 barrels.
4,241 bayonets.
583 bayonet-clasps.
1,450 bayonet-clasp screws.
30 bridles.
2,027 bridle-screws.
324 breech-screws.
1,137 breech-blocks.
435 breech-block caps.
3,660 breech-block-cap screws.
2,864 butt-plates.
706 butt-plate screws.
1,190 bands, upper.
1,822 bands, lower.
1,296 band-springs.
288 cam-latches.
4,857 cam-latch springs.
1,998 extractors.
5,646 ejector-springs.
4,075 ejector-spring spindles.
883 ejector-studs.
3,907 firing-pins.
4,601 firing-pin screws.
7,889 firing-pin springs.
166 front-sights.
197 guard-plates.
932 guard-bows.
1,256 guard-bow swivels.
3,762 guard-bow-swivel screws.
1,917 guard-bow nuts.
647 guard-screws.
130 guards.
272 hammers.
1,027 hinge-pins.
20 hinge-pin studs.
708 lock-plates.
833 locks.
3,398 mainsprings.
417 mainspring-swivels.
873 mainspring-swivel rivets.
429 receivers.
3,389 ramrods.
2,137 ramrod-stops.
200 rear-sight bases.
803 rear-sight-base springs.
1,366 rear-sight-base screws.
208 rear-sight leaves.
611 rear-sight slides.
344 rear-sight-slide springs.
844 rear-sight-slide spring rivets.
1,154 rear-sight-joint pins.
2,085 rear-sights.
610 stocks.
741 sears.
747 sear-screws.
3,682 sear-springs.
1,661 sear-spring screws.
697 side-screws.
4,628 side-screw washers.
3,682 tang-screws.
580 tumblers.
3,876 tumbler-screws.
3,206 tips.
2,388 tip-screws.
904 triggers.
595 trigger-screws.
200 thumb-pieces.
76 upper-band swivel-screws.
300 butt-plate screws, annealed.

Spare parts of Springfield carbine, caliber .45.

112 barrels.
2 butt-plates.
89 butt-plate screws.
67 butt-plate covers.
159 cover-springs.
236 cover-friction-springs.
129 cover-friction-spring screws.
409 front-sights.
34 guard-bows.
40 guards.
170 rear-sight bases.
183 rear-sight leaves.
176 rear-sight-slide springs.
62 rear-sights.
561 stocks.
190 sears.
291 swivel-bars.
173 swivel-bar rings.

Spare parts of Springfield cadet rifle, caliber .45.

36 barrels.
274 bayonets.
159 butt-plates.
540 bands, upper.
70 ramrods.
23 stocks.

Spare parts of Springfield officers' rifle, caliber .45.

15 breech-blocks.
3 butt-plates.
1 band, lower.
1 hammer.
7 lock-plates.
1 receiver.
2 rear-sights.
5 sears.
6 tumblers.
6 tumbler-screws.

Spare parts of Springfield breech-loading musket, model 1868, caliber .50.

25 barrels.

Spare parts of Colt's revolver, caliber .45.

200 hammer-roll rivets.

Spare parts of breech-loading shot-gun.

100 firing-pin springs.

Miscellaneous.

451 cap-ornaments.
2,227 bayonet-scabbard springs.
546 arm-chests.
461 packing-boxes.
1 box for cleaning-materials (cadet).
1 case No. 2 for box of cleaning-materials.
65 tin cases for cleaning-materials.
524 oz. scouring-material.
368 oz. leather-polish.
9 scratch-brushes.
1 cast-iron plate for gun-rest.
1 pressure-gauge.
1 dynamometer.
1 disjunctor for ballistic pendulum.
1 eccentric for velocimeter.
6 batteries, galvanic.
2 brush-wheels.
2 card-wheels.
2 bits.
3 mandrels.
1 saw, arbor, and boxes.
48 corundum-wheels.
150 brass labels.

Arms repaired.

767 Colt's army revolvers.
10,600 light cavalry-sabers.

45TH CONGRESS, 2d Session. } SENATE. { Ex. DOC. No. 2.

LETTER

FROM

THE SECRETARY OF WAR

RECOMMENDING

The amendment of section 3736 of the Revised Statutes, so as to authorize the Secretary of War to accept an absolute gift or grant of land, when the same is necessary for military purposes, and the gift unencumbered with provisions.

DECEMBER 10, 1877.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT,
December 6, 1877.

The Secretary of War has the honor to report to the United States Senate that the San Felipe Agricultural, Manufacturing, and Irrigation Company, of the county of Kinney, State of Texas, has executed a deed donating to the United States Government two hundred acres of land in Kinney County, as a site for a military post.

The military authorities recommend the site as suitable and necessary for military purposes; but, inasmuch as section 3736 of the Revised Statutes provides that "no land shall be purchased on account of the United States, except under a law authorizing such purchase," a special act of Congress is necessary to authorize the acceptance of the deed in question; the enactment of such a law is, therefore, respectfully recommended.

Within the last few years there have been several cases where the establishment of a military post became necessary, and a donation of the necessary land was offered to the government, but, by reason of the statute quoted above, the department could take no action until the matter was reported to Congress and a special act passed. In such cases the restriction imposed by the statute appears to be unnecessary, in view of the fact that no expense is incurred by the government, and only a title reported perfect by the Attorney-General is accepted. It is, therefore, respectfully recommended that section 3736 of the Revised Statutes be amended so as to authorize the acceptance by the Secretary of War of an absolute gift or grant of land, provided the same is necessary for military purposes and the gift is unencumbered with provisions.

Respectfully submitted.

GEO. W. McCRARY,
Secretary of War.

To the PRESIDENT *of the United States Senate.*

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LETTER

FROM

THE SECRETARY OF STATE,

TRANSMITTING,

In obedience to law, a statement of fees collected and accounted for by diplomatic officers of the United States, during the year 1876, *together with a list of consuls in office December* 15, 1876.

DECEMBER 11, 1877.—Ordered to lie on the table and be printed.

DEPARTMENT OF STATE,
Washington, December 3, 1877.

Hon. WILLIAM A. WHEELER,
President of the Senate:

The Secretary of State has the honor herewith to lay before Congress, in compliance with the requirements of section 208 of the Revised Statutes, a statement of such fees as have been collected, accounted for, and reported by the various diplomatic and consular officers of the United States during the year ended December 31, 1876, together with the rates or tariffs of fees, and a full list of consular officers in office on December 15, 1876.

WM. M. EVARTS.

1. Fees collected, accounted for, and reported by diplomatic and consular officers for the year ended December 31, 1876, with a list of those officers in office on December 15, 1876.
2. Tariff of consular fees.

Passport-fees received by diplomatic officers of the United States from January 1, 1876, *to June* 30, 1877.

	Amount.
Argentine Republic	$10 00
Austria-Hungary	140 00
Belgium	20 00
Brazil	40 00
Chili	5 00
Central America	10 00
Colombia	10 00
Denmark	20 00
France	786 52
Germany	1,100 00
Great Britain	429 20

Passport fees received by diplomatic officers, &c.—Continued.

Greece	$10 00
Italy	110 00
Japan	15 00
Mexico	55 00
Netherlands	15 00
Peru	5 00
Portugal	25 00
Russia	105 00
Spain	62 00
Sweden and Norway	20 00
Switzerland	140 00
Turkey	85 00
Venezuela	25 00
Total	3,242 72

Report of fees collected, accounted for, and reported by the consular officers of the United States for the year 1876; *together with a full list of all consular officers in office December* 15, 1876, *and the places of their official residence.*

Consular offices.	Consular officers.	Rank.	Fees, 1876.
ARGENTINE REPUBLIC.			
Buenos Ayres	Edward L. Baker	Consul	$2,394 4[illegible]
Cordoba	B. W. Green	Vice-consul	0 0[illegible]
Rosario	Thomas B. Wood	Consul	874 4[illegible]
AUSTRIA-HUNGARY.			
Pesth		Consul	
Prague	Horace N. Congar	do	2,632 2[illegible]
Trieste	Alex. W. Thayer	do	2,159 2[illegible]
Fiume	L. Francovitch	Agent	31 1[illegible]
Vienna	P. Sidney Post	Consul-general	4,781 [illegible]
Brünn	Gustavus Schoeller	Agent	241 5[illegible]
BARBARY STATES.			
Tangier	F. A. Mathews	Consul	
Casa-Blanca	Peter Gautier	Agent	
Larache	Mesod Abecasis	do	
Mazagan	Alfred Redman	do	
Mogador	Abraham Corcos	do	
Rabat		do	
Saffi	Isaac Benzacar	do	
Tetuan	Judah S. Levy	Commercial agent	
Tripoli	Michel Vidal	Consul	2[illegible]
Tunis	G. H. Heap	do	14[illegible]
Bizerta	F. N. Spizzichino	Agent	0[illegible]
Galetta	Joseph Cuvisol	do	0[illegible]
Sfax	T. A. Ghiggino	do	0[illegible]
BELGIUM.			
Antwerp	James Riley Weaver	Consul	2,901[illegible]
Brussels	John Wilson	do	2,421[illegible]
Ghent	Desire Levison	Vice-consul	623[illegible]
Ostend	A. Van Iseghem	Agent	41[illegible]
Verviers and Liege	Richmond Pearson	Consul	568[illegible]
BOLIVIA.			
La Paz	José E. de Guerra	Consul	
BRAZIL.			
Bahia	Richard A. Edes	Consul	921
Maranham		do	58
Para	Andrew Cone	do	1,465
Pernambuco	Joseph W. Stryker	do	929
Ceara	L. S. de Vasconcellos	Agent	31
Maceio	Theo. Braasch	do	140
Paraiba	Arthur B. Dallas	do	98
Rio Grande	William K. Peabody	Consul	453
Santos	William T. Wright	do	415

Fees collected, accounted for, and reported by the consular officers, &c.—Continued.

Consular offices.	Consular officers.	Rank.	Fees, 1876.
CHILI.			
[illegible]mbo	George A. F. Tait	Consul	
[illegible]aldera	John C. Morong	Agent	
[illegible]ctiano	William Crosby	Consul	$516 05
Valparaiso	David J. Williamson	do	1,661 12
CHINA.			
Amoy	Joseph J. Henderson	Consul	2,009 13
Takao		Agent	
[illegible]ton	Charles P. Lincoln	Consul	701 89
[illegible]-Kiang	J. C. S. Colby	do	880 79
[illegible]ow	M. M. DeLano	do	820 27
[illegible]w	R. M. Johnson	do	1,274 98
Kin-Kiang	H. M. Cunningham	Agent	183 13
[illegible]hwang	Francis P. Knight	Consul	251 04
[illegible]po	Edward C. Lord	do	234 18
[illegible]ghai	John C. Myers	Consul-general	8,321 64
[illegible]w	Isaac F. Shepard	Consul	154 32
[illegible] Tsin	Eli T. Sheppard	do	262 28
Chefoo	William A. Cornabe	Agent	349 56
[illegible]TED STATES OF COLOMBIA.			
[illegible]wall	James Thorington	Commercial agent	3,465 32
Boca del Toro	Frank H. Smith	Agent	78 95
[illegible]rthagena	Albert Mathieu	do	604 66
[illegible]	Bendix Koppel	Consul	12 50
[illegible]aventura	James M. Eder	do	
Panama	Owen M. Long	do	1,528 90
Agua Dulce	Henry Dickson	Agent	
[illegible] Hacha	Nicholas Danies	Consul	179 00
[illegible]	Elias P. Pellet	do	2,732 54
[illegible] Andres	Philip B. Livingston	Vice-commercial agent	171 65
Santa Martha	F. D. Garcia	Consul	
COSTA RICA.			
[illegible]José	Arthur Morrell	Consul	274 75
Port Limon	Minor C. Keith	Agent	68 02
Punta Arenas	Ernest Rohrmoser	do	638 95
[illegible]NMARK AND DOMINIONS.			
[illegible]enhagen	Henry B. Ryder	Consul	274 25
[illegible]nmore	Henry C. Carey	Agent	68 00
[illegible]	J. K. Borck	do	
Frederickshaven	P. C. Kall	do	
[illegible]ngkjobing	A. C. Hustedt	do	
[illegible]nne	Charles Bistrup	do	
[illegible]sted	J. Nyeborg	do	
[illegible]nz	James W. Siler	Consul	
Frederiksted	J. A. Moore	Agent	
[illegible]mas	Volney V. Smith	Consul	1,552 65
ECUADOR.			
[illegible]il	Alcides Destruge	Vice-consul	517 00
[illegible]NCE AND DOMINIONS.			
[illegible]	William L. M. Burger	Consul	
[illegible]	L. Guiraud	Agent	
[illegible]	Isidore Castel	do	
[illegible]	Benjamin Gerrish, jr	Consul	7,001 80
[illegible]ne	Gersam Leon	Agent	17 00
[illegible]	George DeM. Clay	Agent	100 50
[illegible]	Albert Bushnell	Commercial agent	
[illegible]upe	H. Thionville	Consul	1,128 40
[illegible]	John A. Bridgland	do	6,448 77
[illegible]	Edw. Le Pommelec	Agent	46 10
[illegible]bourg	Emile Postel	do	54 45
[illegible]pe	Jules Le Vert	do	6 50
[illegible]ark	Henry Lemaitre	do	510 89
[illegible]eur	Jonathan Wagner	do	12 46
[illegible]n	Louis Guebert	do	278 69
[illegible]le	Richard N. Brooke	Consul	
[illegible]me	Thomas P. Smith	Agent	
[illegible]ges	Firman Berthet	do	
[illegible]	P. J. Osterhaus	Consul	8,947 50
[illegible]Etienne	Victor Guyot	Agent	$1,377 50

Fees collected, accounted for, and reported by the consular officers, &c.—Continued.

Consular offices.	Consular officers.	Rank.	Fees, 1876.
FRANCE AND DOMINIONS—Cont'd.			
Marseilles	Frank W. Potter	Consul	2,969 57
Cette	L. S. Nahmens	Agent	608 15
Toulon	Alfred Reynaud	....do	61 31
Nantes	Franklin Olcott	Consul	.....
L'Orient	L. Sellier	Agent	.....
St. Nazaire	Henry P. Sutton	....do	477 00
Nice	William H. Vesey	Consul	77 50
Mentone	Nicolo Viale	Agent	0 00
Monaco	Emile de Loth	....do	39,622 50
Paris	A. T. A. Torbert	Consul-general	959 60
Calais	Jacques P. Vendroux	Agent	552 00
Lille	C. D. Gregoire	....do	1,559 50
Rheims	A. G. Gill	Consul	1,557 54
St. Pierre, Martinique	Charles Bartlett	....do	.....
Fort de France	.....	Agent	269 23
St. Pierre, Miquelon	John P. Frecker	Commercial agent	
FRIENDLY AND NAVIGATOR'S ISLANDS.			
Apia	G. W. Griffin	Consul	57 34
GERMANY.			
Barmen	Edgar Stanton	Consul	7,052 00
Crefeld	Frederic Wansleben	Agent	3,087 50
Dusseldorf	Henry Lewis	....do	997 50
Berlin	H. Kreismann	Consul-general	5,079 50
Breslau	William O. Frankel	Agent	951 00
Bremen	Wilson King	Consul	3,039 00
Geestemunde	G. Ihlder	Agent	2,275 00
Brunswick	William C. Fox	Consul	1,849 50
Chemnitz	Nathan K. Griggs	....do	6,830 00
Cologne	E. P. Beauchamp	....do	1,582 50
Aix la Chapelle	.....	Agent	1,281 50
Dresden	Joseph T. Mason	Consul	3,077 00
Frankfort	William P. Webster	Consul-general	2,551 00
Mayence	Prentiss Webster	Agent	2,125 00
Hamburg	John M. Wilson	Consul	6,934 65
Harburg	J. D. Westedt	Agent	1,648 50
Kiel	August Sartori	....do	75 50
Lubeck	Jacob Meyer, jr	....do	25 00
Ritzebuttel and Cuxhaven	Johann Eggers	....do	9 95
Leipsic	John H. Steuart	Consul	5,334 00
Mannheim	Edw. M. Smith	....do	2,380 95
Kehl	Carl Schwarzmann	Agent	922 50
Munich	G. H. Horstmann	Consul	1,394 50
Nuremberg	James M. Wilson	....do	4,350 50
Sonneberg	Henry J. Winser	....do	3,844 50
Stettin	John D. Buckelew	....do	179 52
Dantzic	Peter Collas	Agent	81 73
Konigsberg	Lewis Moll	....do	251 21
Memel	H. Fowler	....do	13 17
Swinemünde	.....	....do	0 00
Stuttgart	Joseph S. Potter	Consul	1,964 25
GREAT BRITAIN AND DOMINIONS.			
Antigua	H. A. Arrindell	Commercial agent	106 90
Auckland	Henry Driver	Consul	582 98
Christ Church	Laning Coates	Agent	.....
Dunedin	George P. Abbott	....do	197 99
Monganui	Charles W. Drury	....do	.....
Russell	James Macfarlane	....do	.....
Wellington	Daniel McIntyre	....do	.....
Barbadoes	Robert Y. Holley	Consul	2,843 37
St. Lucia	William Peter	Agent	177 45
St. Vincent	William E. Hughes	....do	95 96
Bathurst	D. W. E. Brown	Vice-consul	29 79
Belfast	James M. Donnan	Consul	8,470 78
Ballymena	George Ballentine	Agent	314 20
Belize	Asa C. Prindle	Commercial agent	689 79
Bermuda	Charles M. Allen	Consul	1,765 60
St. George's	Charles F. Allen	Agent	776 83
Birmingham	J. B. Gould	Consul	5,060 60
Leicester	Jos. B. Haxby	Agent	1,367 50
Kidderminster	James Morton	....do	527 50
Redditch	H. C. Browning	....do	1,127 50
Wolverhampton	John Neve	....do	267 50

Fees collected, accounted for, and reported by the consular officers, &c.—Continued.

Consular offices.	Consular officers.	Rank.	Fees, 1876.
GREAT BRITAIN AND DOMINIONS—Continued.			
Bombay	Benjamin F. Farnham	Consul	
Bradford	William W. Douglass	do	$10,869 00
Bristol	Theodore Canisius	do	1,082 99
Gloucester	Edw. L. Kendall	Agent	765 61
Calcutta	A. C. Litchfield	Consul-general	5,148 46
Akyab	William A. C. Hardie	Agent	60 42
Bassein	William H. Griffin	do	0 00
Chittagong	Charles W. Robertson	do	9 63
Madras	Lumisden Strange	do	178 60
Moulmein	Bernard Lenmann	do	28 08
Rangoon	James M. Leishman	do	131 92
Cape Town	W. W. Edgecomb	Consul	431 90
Port Elizabeth	Alphonso Taylor	Agent	820 21
Port Natal	George C. Cato	do	70 76
Simonstown	P. D. Martin	do	0 00
Cardiff	William W. Sikes	Consul	2,543 78
Llanelly	Benjamin Jones	Agent	8 50
Milford Haven	T. T. Jackson	do	11 88
Newport	James N. Knapp	do	600 01
Swansea	Hartwell Morice	do	179 92
Cork	Francis Newman	Consul	330 04
Charlottetown, P. E. I	David M. Dunn	do	921 12
Georgetown	George Howland	Agent	45 00
Georgetown	A. A. McDonald	do	78 60
Summerside	Fairlay McNeill	do	58 20
Cork	Robert S. Chilton	Consul	1,159 00
St. Catherine's	Leonard H. Collard	Agent	206 25
Cowes	Edwin Vaughan	Consul	1,904 00
Bridgeville	George W. Fogg	Agent	107 50
Hereford	John R. Nichols	do	68 50
Ludlow	H. S. Beebe	do	406 50
Pictou	John Bisbee	do	77 50
Stanstead	Austin T. Foster	do	116 50
Cork	Lewis Richmond	Consul	1,054 62
Waterford	Benjamin Moore	Agent	79 14
Dalkeith	Philip Figyelmesy	Consul	2,047 55
Devon	Benjamin H. Barrows	do	1,914 98
Limerick	John R. Tinsley	Agent	110 68
Dundee	M. McDougall	Consul	6,523 11
Aberdeen	John Ramsey	Agent	1,095 88
Falmouth	Howard Fox	Consul	327 40
Scilly Islands	John Banfield, jr.	Agent	8 50
Fort Erie	Andrew C. Philips	Consul	1,040 00
Fort Rowan	Chauncey Bennett	Agent	370 00
Fort Stanley and St. Thomas	Martin Payne	do	997 00
Gaspe Basin	George H. Holt	Consul	0 00
Magdalen Islands	J. B. F. Painchaud	Agent	
Gibraltar	Horatio J. Sprague	Consul	1,011 04
Glasgow	Samuel F. Cooper	do	10,458 04
Greenock	Emanuel Nuel	Agent	
Goderich	A. A. Thompson	Consul	77 00
Palmerston	William Oakley	Agent	888 50
Stratford	Isaac S. Griswold	do	2,041 50
Halifax	M. M. Jackson	Consul	2,219 95
Barrington	Gabriel Robertson	Agent	20 00
Bridgewater	William H. Owen	do	21 13
Shelburne	N. W. White	do	2 50
Hamilton, Canada	H. Ray Myers	Consul	1,180 25
Guelph	M. O. McGregor	Agent	1,503 50
Paris	George C. Baker	do	1,092 50
Mount Town	Alex. G. Webster	Consul	39 22
Hong-Kong	D. H. Bailey	do	12,756 72
Kingston, Canada	James M. True	do	536 50
Belleville	John C. Hays	Agent	1,038 00
Gananoque	E. E. Abbott	do	87 50
Napanee	Albert R. Lee	do	902 50
Picton	Robert Clapp	do	284 50
Kingston, Jamaica	George E. Hoskinson	Consul	3,529 43
Black River	J. W. Leydon	Agent	
Falmouth	R. Nunes	do	315 45
Grand Caymans	William Eden	do	
Montego Bay	S. G. Corinaldi	do	343 92
Port Harbor	Alex. Morrice	do	
Port Antonio	Peter A. Moodie	do	529 50
Savanna la Mar	James Dougall	do	
St. Ann's Bay	Michael Solomons	do	198 65
Kent, P. I	Isaac M. Brower	Commercial agent	74 25

Fees collected, accounted for, and reported by the consular officers, &c.—Continued.

Consular offices.	Consular officers.	Rank.	Fees, 1876.
GREAT BRITAIN AND DOMINIONS—Continued.			
Leeds	Charles O. Shepard	Consul	$1,077 50
Huddersfield	C. W. Whitman	Agent	1,857 50
Hull	Joseph Atkinson	do	1,583 28
Leith	John T. Robeson	Consul	1,980 80
Dumfermline	John B. Doig	Agent	1,737 50
Liverpool	Lucius Fairchild	Consul	42,174 67
Holyhead	Robert R. Jones	Agent	2 00
St. Helen's	John Hainmill	do	2,917 22
London	Adam Badeau	Consul-general	36,990 67
Dover	Pierre Sisco	Agent	16 00
Ramsgate			
Margate and Deal	Alfred L. Hodges	Agent	12 00
Londonderry	Arthur Livermore	Consul	285 72
Mahé (Seychelles)	Thomas T. Prentis	do	154 86
Malta	Lyell T. Adams	do	
Manchester	Newton Crane	do	14,885 50
Melbourne	Thomas Adamson	Consul-general	2,320 41
Adelaide	J. W. Smith	Agent	308 [illegible]
Albany	William J. Gillam	do	35 40
Montreal	William A. Dart	Consul-general	2,850 65
Hemmingford	J. E. Corbin	Agent	169 00
Huntingdon	A. Sommerville	do	131 [illegible]
Lachine	Charles Carlton	do	
Sorel	George H. Brauley	do	167 5[illegible]
Three Rivers	Richard H. Nixon	do	64 00
Nassau	Mahlon Chance	Consul	1,453 7[illegible]
Dunmore Town	William H. Sears	Agent	223 45
Governor's Harbor	George Preston	do	188 06
Green Turtle Bay	Uriah Saunders	do	126 23
Mathewtown	John I. Sargent	do	105 02
San Salvador	George W. Wilson	do	153 33
Newcastle	Evan R. Jones	Consul	1,622 04
Carlisle	Thomas Wright	Agent	297 50
Old Hartlepool	Christian Nielson	do	81 01
Sunderland	James Horan	do	496 50
Picton	Oscar Malmros	Consul	308 21
Arichat	James G. McKeen	Agent	
Cape Canso	Thomas C. Cook	do	28 75
Cow Bay	Charles Archibald	do	284 65
Glace Bay	David McKeen	do	268 7[illegible]
Guysborough	E. H. Franchville	do	0 00
Lingan	Frederick E. Leaver	do	57 70
North Sydney	William Purves	do	44 40
Port of Sydney	Frederick E. Leaver	do	13 23
Pugwash		do	0 00
Plymouth	Henry Box	Consul	109 83
Brixham	E. Vittery	Agent	15 00
Dartmouth	Richard Kingston	do	8 00
Guernsey	Albert Carey	do	12 00
Jersey	Thomas Renouf	do	10 00
Port Louis	John J. Turtle	Consul	404 40
Port Sarnia	Sam. D. Pace	do	1,149 00
London	William F. Blake	Agent	1,415 00
Port Stanley, F. I	George Gerard	Consul	26 4[illegible]
Prescott	Clifford S. Sims	do	577 50
Brockville	Edw. A. Buckman	Agent	861 50
Cornwall	John Murray	do	432 50
Morrisburgh	James Redington	do	617 00
Ottawa	James D. Raymond	do	1,500 00
Quebec	William C. Howells	Consul	536 43
Sheffield	C. B. Webster	do	4,604 00
Nottingham	F. G. Rawson	Agent	5,820 00
Sierra Leone	William H. Randall	Consul	165 32
Singapore	Adolph G. Studer	do	1,538 6[illegible]
Penang	John P. Campbell	Agent	226 50
Southampton	William Thompson	Consul	348 54
Cowes		Agent	8 50
Portsmouth	Charles E. McCheave	do	40 00
Weymouth	W. Roberts	do	9 50
St. Christopher	Emile S. Delisle	Commercial agent	243 35
St. Helena	Thomas Fitnam	Consul	833 01
St. John, New Brunswick	Darius B. Warner	do	2,805 11
McAdam Junction	Charles F. Hoben	Agent	305 22
Newcastle	Robert R. Call	do	87 93
Fredericton	Spofford Barker	do	113 00
St. Andrew's	Edw. Lorimer	do	158 [illegible]
St. George	Benj. Randall	do	113 23
St. Stephen	Charles H. Clarke	do	345 47
St. John's, Newfoundland	Thomas N Molloy	Consul	1,343 32
Harbor Grace	P. Devereaux	do	69 54

Fees collected, accounted for, and reported by the consular officers, &c.—Continued.

Consular offices.	Consular officers.	Rank.	Fees, 1876.
GREAT BRITAIN AND DOMINIONS—Continued.			
St. John's, Quebec	Robert J. Saxe	Consul	$1,053 50
Gaspé	Ed. Macomber	Agent	105 50
Pictou	George R. Marvin	do	87 50
Shediac	Aug. C. Wheeler	do	472 00
Sorel	George W. Shepherd	do	159 50
[illegible]	James H. Williams	Consul	1,748 04
Brisbane	George Harris	Agent	47 54
Newcastle	George Mitchell	do	1,052 37
Toronto	A. D. Shaw	Consul	3,006 50
Coburg	Isaac Lawrence	Agent	331 50
Port Hope	La Rue Peck	do	983 50
Whitby	Almer A. Allen	do	444 00
Trinidad	Fulton Paul	Consul	1,659 28
Tuscall	Josiah M. Lucas	do	5,827 50
Turk's Islands	George W. Driggs	do	.....
Cockburn Harbor	Alfred Stubbs	Agent	173 97
Salt Cay	Alex. W. Harriott	do	197 37
Tuscaria	David Eckstein	Consul	3,292 05
Windsor, Canada	John L. Near	do	333 00
Amherstburgh	Robert Scott	Agent	262 00
Chatham	Thomas McCrae	do	1,000 50
Dover	H. D. Cunningham	do	170 50
Wallaceburg	L. H. Johnson	do	650 00
Windsor, Nova Scotia	Daniel K. Hobart	Consul	705 36
Annapolis	Jacob M. Owen	Agent	70 62
Cornwallis	Ebenezer Rand	do	67 50
Digby	William B. Stewart	do	18 37
Kempt	Henry H. Grant	do	118 41
Parsboro'	Benjamin D. King	do	29 94
Walton	Alexander McN. Parker	do	13 75
Wolfville	Joseph R. Hea	do	.....
Yarmouth	James M. Merrill	do	261 73
Winnipeg	James W. Taylor	Consul	634 56
GREECE.			
Patras	Edward Hancock	Consul	236 43
Cephalonia	S. A. R. Lucato	Agent	51 28
Corfu	T. Woodley	do	13 47
Prevesa	Anthony Martelao	do	27 50
Syra	Basil Padova	do	26 50
Zante	Anastasius Sargint	do	31 95
GUATEMALA.			
Guatemala	John Graham	Consul	391 00
Champerico	A. Zollikofer	Agent	148 78
Coban	Francis C. Sarg	do	0 00
Retalal	T. J. Potts	do	0 00
San José de Guatemala	Audley E. Donnelly	do	226 80
HAWAIIAN ISLANDS.			
Honolulu	James Scott	Consul	4,356 75
Hilo	Thomas Spencer	Agent	32 63
HAYTI.			
Cape Haytien	Stanislas Goutier	Consul	541 42
Gonaives	John D. Metzger	Agent	341 29
Port de Paix	E. Werth	do	98 91
Petit Inique	E. D. Bassett	Consul-general	1,784 88
Aux Cayes	Carl Liebmann	Agent	1,089 02
Jacmel	H. O'Kill	do	341 50
Miragoane	August Ahrends	do	294 40
St. Marc	G. Jastram	Vice-commercial agent	292 81
HONDURAS.			
Aruta	George A. K. Morris	Consul	201 87
Truxillo	Frank E. Frye	do	640 10
ITALY.			
Genoa	Franklin Torrey	Consul	573 00
Leghorn	James S. Rutan	do	1,727 70
Milan	Eugene Pernis	Agent	11 76
Naples	O. M. Spencer	Consul	1,906 21
Palermo	William T. Rice	Agent	.....
Venice	Henry Noble	do	269 25

Fees collected, accounted for, and reported by the consular officers, &c.—Continued.

Consular offices.	Consular officers.	Rank.	Fees, 1876.
ITALY—Continued.			
Leghorn	Frederic Borcherdt	Consul	$2,014 28
Messina	George H. Owen	do	2,303 52
Catania	A. Peratoner	Agent	122 48
Gioja	L. Giffoni	do	.....
Syracuse	N. Stella	do	.....
Milan	H. W. Trimble	Consul	296 50
Naples	B. Odell Duncan	do	1,457 41
Castelamare	Michele Starace	Agent	519 50
Palermo	Robert Frazer	Consul	5,515 53
Licata	Robert E. O. Franck	Agent	82 48
Marsala	George Rayson	do	46 03
Trapani	L. Marrone	do	95 20
Rome	Charles McMillan	Consul-general	712 50
Ancona	A. P. Tomassini	Agent	78 55
Civita Vecchia	G. Marsanick	do	14 40
Venice	John Harris	Consul	341 26
JAPAN.			
Hakodadi	M. C. Harris	Vice-consul	.....
Kanagawa	Thomas B. Van Buren	Consul-general	6,460 28
Nagasaki	Willie P. Mangum	Consul	357 62
Osaka and Hiogo	Nathan J. Newwitter	do	2,181 14
LIBERIA.			
Grand Bassa	H. L. Crusoe	Commercial agent	24 94
Monrovia	J. Milton Turner	Consul-general	25 77
MADAGASCAR.			
Tamatave	William W. Robinson	Consul	52 52
MEXICO.			
Acapulco	John A. Sutter, jr	Consul	908 28
Tehuantepec and Salina Cruz	Thomas Carlock	Agent	52 08
Camargo	Lucuis Avery	Commercial agent	190 95
Chihuahua	Joseph Knotts	Consul	237 50
Guaymas	Alexander Willard	do	635 09
Guerrero	W. A. Cook	Vice-commercial agent	100 00
La Paz	D. Turner	Consul	547 23
Manzanillo	Aug. Morrill	do	294 94
Matamoros	Thomas F. Wilson	do	683 19
Santa Cruz Point	G. W. Lowe	Agent	1,434 00
Mazatlan	Edward G. Kelton	Consul	1,123 50
Merida	A. J. Lespinasse	do	38 25
Progreso	.....	Agent	1,045 26
Mexico	Julius A. Skilton	Consul-general	132 80
Mier	M. T. Milona	Commercial agent	155 06
Minatitlan	Solomon Sternberger	Consul	268 57
Tabasco	.....	Agent	.....
Monterey	.....	Consul	.....
Nuevo Laredo	James J. Haynes	Commercial agent	754 00
Oajaca	L. L. Lawrence	do	22 00
Paso del Norte	.....	do	.....
Piedras Negras	W. Schuchardt	do	236 00
Presidio del Norte	Hiram L. Kelley	do	.....
Saltillo	John D. Carrothers	Consul	98 00
San Blas	M. Garfias	do	5 00
San José and Cape St. Lucas	Eugene Gillespie	do	67 50
Tampico	Edmund Johnson	do	558 16
Tuxpan	John J. Thibault	Agent	640 19
Vera Cruz	S. T. Trowbridge	Consul	1,591 08
Zacatecas	A. M. Kimball	Vice-consul	.....
MUSCAT.			
Zanzibar	William H. Hathorne	Consul	196 88
NETHERLANDS AND DOMINIONS.			
Amsterdam	Charles Mueller	Consul	997 31
Nieuwediep	Klass C. Van Vliet	Agent	228 82
Batavia	Pliny M. Nickerson	Consul	1,179 55
Soerabaya	Charles Matzen	Agent	275 56
Curaçoa	William H. Faxon	Consul	1,127 95
Bonaire	L. C. Boyé	Agent	157 63

Fees collected, accounted for, and reported by the consular officers, &c.—Continued.

Consular offices.	Consular officers.	Rank.	Fees, 1876.
NETHERLANDS AND DOMINIONS—Continued.			
Padang	A. Van Gills	Vice-consul	$185 26
Paramaribo	Henry Sawyer	Consul	860 40
Rotterdam	Fred. Schutz	do	2,677 03
Flushing	J. J. T. Hector	Agent	32 00
Schiedam	W. H. C. Tansen	do	1,385 50
St. Martin	D. C. Van Romondt	Consul	403 83
St. Eustatius	George Doyle	Agent	39 51
NICARAGUA.			
San Juan del Norte		Commercial agent	560 85
Bluefields	James Battle	Agent	0 00
San Juan del Sur	Ran Runnels	Commercial agent	
PERU.			
Callao	Philip Clayton	Consul	1,632 67
Eten	Otto Barca	Agent	
Lambayeque	S. C. Montjoy	Consul	46 00
PORTUGAL.			
Faval	Samuel W. Dabney	Consul	670 04
Flores	James Mackay, jr.	Agent	84 59
Graciosa	J. de C. C. e Mello	do	6 00
St. George	A. J. d'Albergaria	do	10 00
St. Michaels	Thomas Ivens	do	236 56
Terceira	H. de Castro	do	48 30
Funchal	Jasper Smith	Consul	376 12
Lisbon	Henry W. Diman	do	808 98
Belem	T. M. Besoney	Agent	
Cesimbra	F. J. Lopez	do	
Faro	F. L. Javarez	do	
Lagos	J. M. Mascarenhas	do	
Setubal	J. T. O'Neill	do	10 35
Sines	J. P. de M. Falcao	do	
Oporto	A. V. Dockery	Consul	108 89
Figuera	C. Laidley	Agent	
St. Joao de Foz	L. S. de Vasconcellos	do	
Vianna	J. A. de M. Vianna	do	
Santiago, Cape Verde Islands	Alfred M. Post	Consul	162 16
Brava	J. J. Nunes	Agent	72 14
Fogo	J. J. de S. Monteiro	do	
Sal	J. J. Vera Cruz	do	
St. Vincent	John Randall	do	87 46
St. Paul de Loando	Robert S. Newton	Vice-commercial agent	23 71
RUSSIA.			
Archangel	E. Brandt	Consul	
Helsingfors	R. Frenckell	do	
Wyborg	J. Sparrow	Agent	
Moscow	Samuel P. Young	Consul	
Odessa	L. E. Dyer	do	194 25
Poti and Tiflis	D. R. Peacock	Agent	5 00
Rostoff	John Martin	do	442 00
Petropaulovski	H. G. O. Chase	Consul	
St. Petersburg	George Pomutz	Consul-general	460 00
Cronstadt	A. Wilkins	Agent	95 17
Riga	Waldemar Mayer	do	179 20
Vladivostock	William C. Morton	Consul	
Warsaw	Joseph Rawicz	do	67 50
SALVADOR.			
La Union	John Harrison	Vice-consul	380 07
San Salvador	J. Maurice Duke	Consul	17 50
La Libertad		Agent	
Sonsonate	Joaquin Mathé	Consul	317 00
SAN DOMINGO.			
Puerto Plata	Charles R. Douglass	Consul	748 98
Samana	Henry Conard	Vice-commercial agent	224 25
San Domingo	Paul Jones	Consul	1,026 30
Azua	Henry Chandruc	Agent	223 00
SIAM.			
Bangkok	F. W. Partridge	Consul	732 63

Fees collected, accounted for, and reported by the consular officers, &c.—Continued.

Consular offices.	Consular officers.	Rank.	Fees, 1876.
SOCIETY ISLANDS.			
Tahiti	Dorence Atwater	Consul	$486 01
SPAIN AND DOMINIONS.			
Alicante	William L. Giro	Consul	211 67
Barcelona	Fred. H. Scheuch	do	340 67
Tarragona	Aloys Muller	Agent	85 29
Cadiz	Alfred N. Duffie	Consul	1,146 98
Algeciras	H. Sprague	Agent	0 00
Huelva	H. Ruiz	do	0 00
Jerez de la Frontera	Henry R. Davies	do	0 00
Port St. Mary		do	
San Lucar de Barrameda	Ramon de Larras	do	49 73
Seville	Charles H. Eder	do	388 26
Carthagena	C. Molina	Consul	
Corunna	A. G. Fuertes	do	152 50
Carril	Luis Pou	Agent	
Corcubion	H. Villaneuva	do	
Ferrol	Nicasio Perez	do	
Vivero	Joaquin Muñiz	do	
Vigo	Camilo Molins	do	86 75
Denia	Charles Morand	Consul	348 31
Havana	Henry C. Hall	Consul-general	
Nuevitas	Joaquin Sanchez	Agent	
San Juan de los Remedios	James M. Digges	do	
Malaga	A. M. Hancock	Consul	1,758 95
Adra Malaga	R. Medina	Agent	0 00
Port of Marbella	Miguel Calzado	do	0 00
Almeria Malaga	Alexander Lluch	do	395 90
Granada	Peter A. Mesa	do	0 00
Manila	Fred. G. Heron	Vice-consul	1,880 82
Cebu	George Austen	Agent	14 50
Iloilo	John G. Austen	do	312 15
Matanzas	James W. Steele	Consul	4,132 03
Cardenas	Joseph H. Washington	Agent	4,799 37
Sagua la Grande		do	2,358 60
Port Mahon	John F. Quarles	Consul	8 01
Ivica Island	William Wallis	Agent	25 73
Palma Majorca	Ernesto Canut	do	52 50
San Juan	Edw. Conroy	Consul	570 54
Aguadilla	Ed. Koppisch	Agent	104 38
Arecibo	F. Fernandez	do	372 34
Fajardo	Herman Ritter	do	176 78
Guayarna	Arthur McCormick	do	429 04
Mayaguez	Gorham E. Hubbard	do	1,282 38
Naguabo	W. Haddock	do	408 73
Ponce	Felix W. Preston	do	1,210 08
Viegues	Lane Garben	do	3 40
Santander	Luis Gallo	Consul	94 52
Bilbao	Eduardo Azuar	Agent	157 46
Gijon	Serapio Acebal	do	0 00
Santiago de Cuba	Alfred N. Young	Consul	978 61
Baracoa	P. E. Alayo	Agent	1,228 28
Guantanamo	William F. Allison	do	450 25
Manzanillo	Frederick Roca	do	131 79
Teneriffe	William H. Dabney	Consul	410 61
Lanzarotte	J. T. Topham	Agent	0 00
Grand Canary	J. Rodriguez y Gonzales	do	64 79
Oratava	Frederick Renshaw	do	5 60
Palma	F. P. Laremuth	do	
Trinidad de Cuba		Consul	338 32
Cienfuegos	Wm. W. Cross	Agent	2,340 60
Zaza	Sinesio Ballesta	do	
Valencia	Edward A. Farrington	Consul	
Benicarlo	Eduardo Huby	Agent	
Grao	Adol. Lowenstein	do	195 03
SWEDEN AND NORWAY.			
Bergen	Albert Gran	Consul	125 00
Drontheim	M. H. Lundgreen	Agent	11 50
Stavanger	Thomas Falck	do	30 00
Christiania	Gerhard Gade	Consul	459 50
Christiansand	O. C. Reinhardt	Agent	12 00
Gottenberg	Franklin K. Bazier	Consul	
St. Bartholomew	R. Burton Dinzey	Commercial agent	12 76
Stockholm	Nere A. Elfwing	Consul	296 50
Christianstad	Ludwig Ahlberg	Agent	0 00
Gefle	Gustaf Hard	do	44 08
Norrköping	S. C. Mobeck	do	0 00
Sundsvall	Ando G. Wikström	do	12 74

Fees collected, accounted for, and reported by the consular officers, &c.—Continued.

Consular offices.	Consular officers.	Rank.	Fees, 1876.
SWITZERLAND.			
Basle	Henry Erni	Consul	$1,712 50
Olten	H. Salathe	Agent	1,696 50
Geneva	Charles H. Upton	Consul	760 75
Zurich	S. H. M. Byers	do	4,701 00
St. Gallen	Emile Meyer	Agent	3,267 50
TURKEY AND DOMINIONS.			
Beirut	John T. Edgar	Consul	127 26
Aintab	Nazar Nazarian	Agent	
Aleppo	Frederic Poche	do	7 00
Alexandretta	M. Levi	do	
Caipha	J. Schumacher	do	3 75
Damascus	N. Meshaka	do	15 50
Homs and Hama	George Yauni	do	
Latakia	D. Metheny	do	
Marash	S. D. Picciotto	do	
Sidon	S. Abela	do	
Tripoli	A. Yanni	do	27 00
Tyre		do	
Bucharest	B. F. Peixotto	Consul	
Jassy		Agent	
Cairo	Elbert E. Farman	Agent and consul-gen'ral	194 50
Alexandria	C. M. Salvage	Agent	168 02
Benisouef	Nasralla Luca	do	
Girgheh	Mishrihi Hayat	do	2 00
Keneh	Gadis Gad	do	0 00
Khartoum	Azar Abdel Melak	do	0 00
Luxor	Aly Mourad	do	0 00
Mansurah	Ibrahim Daoud	do	0 00
Minieh		do	
Osiut	Wasif-el Hayat	do	2 00
Constantinople	Eugene Schuyler	Consul-general	385 75
Dardanelles	Frank Calvert	Agent	9 50
Rustchuk	Richard Reade	do	
Salonica	P. H. Lazzaro	do	49 42
Cyprus	L. P. di Cesnola	Consul	
Limassol	Theo. Peristiany	Agent	
Paphos	A. P. di Cesnola	do	
Galatza	Alex Hepites	Vice-consul	0 00
Jerusalem	Frank S. de Hass	Consul	
Jaffa	E. Hardegg	Agent	
Port Said	Richmond Broadbent	Consul	7 00
Smyrna	E. J. Smithers	do	1,397 94
Mytilene	M. M. Fottion	Agent	0 00
URUGUAY.			
Colonia	Benj. D. Manton	Consul	
Paysandu	J. G. Hufnagel	Agent	149 27
Montevideo	John S. Braxton	Consul	1,806 22
VENEZUELA.			
Ciudad Bolivar	John Dalton	Consul	
Laguayra		do	1,990 05
Barcelona	H. Baiz	Agent	
Maracaibo	Telemon C. Jutting	Consul	1,982 51
Puerto Cabello	A. Lacombe	do	2,651 87
Total fees received			603,797 78

TARIFF OF FEES.

Acknowledgments.

1. Of the master to bottomry-bond, with certificate under seal	$2 50
2. Of the master to a mortgage or mortgage bill of sale of vessel	2 00
3. Of the master to an order for payment of seamen's wages or voyages, at home, including making up the order if required	2 50
4. Of the merchant to assignment of bottomry-bond	2 00
5. Of the vender to a bill of sale of vessel	2 00
6. Of one or more persons to a deed or instrument of writing	2 00
7. Of one or more persons to a power of attorney	2 00

Authenticating copies of papers.

8.	Of advertisement for funds on bottomry	$1 00
9.	Of inventories and letters, or either, of master	1 00
10.	Of marine note of protest	1 00
11.	Of extended protest	1 00
12.	Of account of sales of vessels, cargo, provisions, and stores, or either	1 00
13.	Of advertisement of sale of vessel or cargo, provisions, or stores	1 00
14.	Of call, warrant, and report of survey on vessel, hatches, cargo, provisions, and stores, or either (for example see Form No. 52)	1 00

*Authenticating signatures.**

15.	To average bonds	2 00
16.	To estimate of repairs of vessels	2 00
17.	To (auctioneer's) account of sales of vessel or cargo, provisions or stores	2 00
18.	To reports of survey on vessel or cargo, provisions or stores	2 00
19.	Of forms of application for arrears of pay of bounty of deceased or disabled soldiers	25
20.	Of governors, judges, notaries public, custom-house and other officers	2 00
21.	Of merchants and individuals	2 00
22.	For authenticating all the vouchers and other papers necessary for drawing a pension	50
23.	For any other consular authentication or service of like character not herein named or enumerated	2 00

Certificates.

24.	To bill of health	2 50
25.	Of indorsement of bottomry on ship's register	2 00
26.	Of indorsement of payment on bottomry on ship's register	2 00
27.	Of indorsement of new ownership on ship's register	2 00
28.	Of canceling ship's register	2 00
29.	To currency	1 00
30.	Debenture-certificate, including oaths of master and mate	2 to 5 00
31.	Of decision and award, in cases of protests against masters, passengers, or crew (for example see Form No. 41)	5 00
32.	Of the deposit of a ship's register and papers, when required by custom-house authorities	2 00
33.	In cases of vessels deviating from the voyage	2 00
34.	When a ship's register is retained *entire* in the consulate	2 00
35.	Of identity	2 00
36.	To invoice, including declaration, in triplicate	2 50
37.	To invoice of goods, not exceeding $100 in value, in British North American provinces	1 00
38.	When the amount of the invoice exceeds $100	2 50
39.	Of place of birth of emigrants, and only when desired by them	25
40.	For marriage-certificate	1 00
41.	Of appointment of new master, including oath of master	2 00
42.	Given to a master at his own request (for example see Form No 23), if less than two hundred words, under seal	2 00
43.	For every additional hundred words	1 00
44.	Of the ownership of a vessel	2 00
45.	To a seaman, of his discharge	No fee.
46.	For master to take home destitute American seamen	No fee.
47.	Of conduct of crew on board, in cases of refusal of duty, and in cases of imprisonment, &c	2 00
48.	Of sea-letter	3 00
49.	Of roll or list of crew, when required by the captain or authorities of the port	2 00
50.	To shipping-articles	2 00

Declarations and oaths.

51.	Declaration and oath of master to one or more desertions, including oaths, attached to crew-list and shipping-articles, each	50
52.	To one or more deaths or losses of seamen overboard at sea, including oaths attached to crew-list and shipping-articles, each	50
53.	To ship's inventories or stores	50
54.	To the correctness of log-book	50
55.	To ship's bills and vouchers for disbursements and repairs	50

* When it is possible to embrace several signatures in one certificate, the consul will do so; and but one fee will be charged for such certificate.

Estates of deceased American citizens.

56. For taking into possession the personal estate of any citizen who shall die within the limits of a consulate, inventorying, selling, and finally settling and preparing or transmitting, according to law, the balance due thereon, five per cent. on the gross amount of such estate. If part of such estate shall be delivered over before final settlement, two and one-half per cent. to be charged on the part so delivered over as is not in money, and five per cent. on the gross amount of the residue. If among the effects of the deceased are found certificates of foreign stocks, loans, or other property, two and one-half per cent. on the amount thereof. No charge will be made for placing the official seal upon the personal property or effects of such deceased citizen, or for breaking or removing the seal.

Filing documents in consulate.

57. Consul's certificate to advertisement for funds on bottomry	$0 25
58. Inventories of vessels, cargo, provisions, and stores, or either	25
59. Estimate of repairs of vessel	25
60. To advertisement of sale of vessel, cargo, provisions, and stores, or either	25
61. Letter of master notifying consul of sale of vessel, cargo, provisions, and stores, or either	25
62. Of master notifying auctioneer of sale of vessel, cargo, provisions, and stores, or either	25
63. Accounts of sale of vessel, cargo, povisions, and stores, or either	25
64. Calls of survey on vessel, hatches, cargoes, provisions, and stores, or either	25
65. Warrants of survey on vessels, hatches, cargoes, provisions, and stores, or either	25
66. Reports of survey on vessels, hatches, cargoes, provisions, and stores, or either	25
67. For filing any other document prepared in or out of the consulate	25

Consuls' orders and letters.

68. To send seamen to hospital	No fee.
69. To send seamen to prison	2 00
70. To release seamen from prison	2 00
71. To authorities or captain of the port in cases of sinking vessels	2 00
72. Requesting the arrest of seamen	2 00
73. For any other letter or order of like character	2 00

Passports.

74. For issuing a passport	5 00
75. For visaing a passport	1 00

Protests, &c.

76. For noting marine protest	2 00
77. For extending marine protest	3 00
78. And if it exceed two hundred words, for every additional one hundred words	50
79. For issuing warrant of survey on vessels, hatches, cargo, provisions, and stores, or either	2 00
80. Notifying surveyors of their appointment, also notifying agents of insurance companies interested, each	1 00

Preparing documents.

81. For preparing agreement of master to give increased wages to seamen, attested under seal	2 00
82. For preparing any other official document or instrument of writing, not herein named or enumerated, if under one hundred words	2 00
83. If exceeding one hundred words, for every additional one hundred words	1 00

Recording documents.

84. Appointment of new master	50
85. Average bonds, when required, for every one hundred words	50
86. Bill of sale, when required, for every one hundred words	50
87. Certificate given to master at his own request, when required	50
88. Consul's letter to captain of port, or authorities, in cases of sinking vessels	50
89. Order and consul's certificate to pay seamen's wages or voyages, at home	50

90. Powers of attorney, when required, for every one hundred words..... $0 50
91. Protests of masters and others, other than marine protests, for every one hundred words..... 50
92. Sea-letter, for every one hundred words..... 50
93. Calls of survey on vessel, hatches, cargo, provisions, and stores, or either; warrants and reports thereof; estimates of repair; certificates of consuls to advertisements for funds on bottomry, and of sale of vessel; inventory of vessel, cargo, provisions, and stores; letter of master to consul notifying sale of vessel, cargo, provisions, and stores, or either; letter of master to auctioneer, and account of sales of vessel, cargo, provisions, and stores, or either, for every one hundred words of any document required to be recorded, except consul's certificate to masters taking home American seamen..... 50
94. Any other document or instrument of writing not herein named or enumerated, prepared in or out of the consulate, and required to be recorded, for every one hundred words fifty cents, and for every additional hundred words (or less) fifteen cents.

Receiving and delivering ship's papers.

95. For receiving and delivering ship's register and papers, including consular certificates, as prescribed in forms Nos. 13 and 14, one cent on every ton, registered measurement, of the vessel for which the service is performed, if under one thousand tons; but American vessels running regularly by weekly or monthly trips, or otherwise, to or between foreign ports, shall not be required to pay fees for more than four trips in a year; and tonnage-fees shall not be exacted from any vessel of the United States touching at or near ports in Canada, on her regular voyage from one port to another within the United States, unless some official service required by law shall be performed..... 01
96. And for every additional ton over one thousand, one-half of one cent.... ½

Shipping or discharging seamen.

97. For every seaman who may be discharged or shipped, including the certificates therefor attached to crew-list and shipping-articles, to be paid by the master of the vessel..... 1 00

Miscellaneous services.

98. For administering oaths, not hereinbefore provided for, each..... 50
99. For attending an appraisement of goods or effects daily..... 5 00
100. For attending valuation of goods, for every day's attendance during which the valuation continues..... 5 00
101. For attending sale of goods, for every day's attendance during which the sale continues..... 5 00
102. For attending sale of vessel, when required..... 5 00
103. For attendance at a shipwreck, or for the purpose of assisting a ship in distress, or of saving wrecked goods or property, over and above traveling expenses, a per diem of five dollars, whenever the counsul's interposition is required by the parties interested..... 5 00
104. For consul's seal and signature to clearance from custom-house authorities. 2 00
105. For consul's seal and signature to any document not provided for by the foregoing tariff..... 2 00

Sealing cars coming from Canada.

106. For each manifest with the consul's certificate and for sealing of each car, vessel, bale, barrel, box, or package..... 25

*Copies.**

107. For the first hundred words, fifty cents, and for every additional hundred words or less, fifteen cents.

*When parties have a right to call for copies, consular officers must make them at this rate. This does not, however, include the authentication, if that is required. The fee for the "copies" is not an official fee to be accounted for. The fee for authentication is an official fee.

45TH CONGRESS, 2d Session. } SENATE. { Ex. DOC. No. 4.

LETTER

FROM

THE SECRETARY OF STATE,

TRANSMITTING IN OBEDIENCE TO LAW,

A statement of consular officers, not citizens of the United States, to whom salaries were paid during the year ended June 30, 1876.

DECEMBER 11, 1877.—Ordered to lie on the table and be printed.

DEPARTMENT OF STATE,
Washington, December 3, 1877.

The Secretary of State has the honor herewith to lay before Congress, in compliance with the requirements of section 208 of the Revised Statutes, a statement of the names of the consular officers, not citizens of the United States, to whom salaries have been paid during the fiscal year ended June 30, 1876.

WM. M. EVARTS.

Hon. WILLIAM A. WHEELER,
President of the Senate.

Statement showing the names of consular officers, not citizens of the United States, to whom salaries have been paid during the fiscal year ended June 30, 1876.

Name.	Office.	Place.	Amount.
L. N. de la Lastra	Vice-consul	Tampico	$289 86
J. C. da Costa	do	Barbadoes	239 00
E. Hardegg	do	Jerusalem	773 33
F. Lison	do	Verviers	254 29
A. A. Wambersie	do	Rotterdam	751 87
Leo Sekeles	do	Prague	1,500 00
Total			3,808 35

45TH CONGRESS, 2d Session. | SENATE. | EX. DOC. No. 5.

REPORT

OF

THE SECRETARY OF THE INTERIOR,

IN ANSWER TO

A Senate resolution of December 10, 1877, transmitting information in relation to the number of miles of the Oregon Central Railroad completed.

DECEMBER 12, 1877.—Referred to the Committee on Railroads and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., December 12, 1877.

SIR: In answer to Senate resolution of the 10th instant, I have the honor to transmit herewith a copy of the report of the Commissioner of the General Land Office, dated yesterday, in regard to the number of miles of the Oregon Central Railroad completed, the number of miles uncompleted, and the number of acres of land patented to the company.

Very respectfully,

C. SCHURZ, *Secretary.*

The honorable the VICE-PRESIDENT and PRESIDENT OF THE SENATE.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 11, 1877.

SIR: I have the honor to acknowledge the receipt of Senate resolution of the 10th instant, directing the Secretary of the Interior "to communicate to the Senate the number of miles of railroad and telegraph line completed by the Oregon Central Railroad Company and accepted by the government; the number of miles uncompleted; also, the number of acres patented to such company under the act of Congress making a grant of public lands to said company."

In answer, I respectfully report the following:

The Oregon Central Railroad Company, under the act of May 4, 1870, has completed its road and telegraph line from Portland westward to Forrest Grove, which is twenty miles, and the same was accepted February 16, 1872; and from Forrest Grove south to the Yamhill River, which is twenty-seven and a half miles, and the same was accepted June 23, 1876.

The uncompleted portion of said railroad is north from Forrest Grove to Astoria, the terminating point, and is estimated as ninety-seven miles.

In explanation why this matter is brought to the attention of Congress at this time, I would state that through inadvertence the provisions of existing law upon the subject were not observed by this department for a long period prior to the early part of the year 1876. About that time the attention of my immediate predecessor was called to the subject, and all settlements of accounts for advertising for this department or its bureaus have since been made upon the basis of the rates fixed by law.

The inadequacy of the compensation provided by sections 853 and 854 of the Revised Statutes will be apparent to every person who has a knowledge of the rates charged by newspapers for ordinary commercial advertisements.

Very respectfully,

C. SCHURZ, *Secretary.*

Hon. WILLIAM A. WHEELER,
Vice-President of the United States and President of the Senate.

O

45TH CONGRESS, 2d Session. | SENATE. | EX. DOC. No. 6.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

IN RELATION TO

The inadequacy of the compensation allowed by law for publishing advertisements and other matter.

DECEMBER 14, 1877.—Referred to the Committee on Civil Service and Retrenchment and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., December 14, 1877.

SIR: I have the honor to call the attention of the Senate to the subject of the compensation allowed by law for publishing advertisements and other matters required by law to be published by this department and the bureaus thereof, and to state that many complaints of the inadequacy of such compensation have been received.

The law relative to the subject is contained in section 853 of the Revised Statutes, and the sections to which reference is made therein. The compensation allowed by said section 853, which is forty cents per folio of one hundred words for the first insertion, and twenty cents per folio for each subsequent insertion, does not amount, in the case of some newspapers published in the principal commercial cities, to more than one-tenth part of the rates charged to individuals for advertisements occupying the same space. The publishers of some papers have declined to accept compensation for advertising upon the terms provided by existing law, in the expectation that when the attention of Congress was called to the subject, some more just and liberal provision for their compensation would be made. Under existing law it will not be possible hereafter for this department to have its advertisements inserted in papers published in the principal commercial cities.

The value to the public and the department of an advertisement occupying a certain space is varied so much by the extent of the circulation of the paper in which it may appear that no just rule of compensation can be made upon the basis of a fixed price for a certain space.

I have the honor, therefore, to suggest that section 853 of the Revised Statutes be so amended as to permit the allowance by the department for publishing any advertisement or other matter referred to in said section of the same rates which the paper in which it may appear receives for advertising for private individuals. I would also suggest that authority be given by law for readjustment upon the basis referred to of accounts for publishing the advertisements of the department and the bureaus thereof which have been paid during the year 1876 upon the basis of the rates allowed in section 853 of the Revised Statutes

In explanation why this matter is brought to the attention of Congress at this time, I would state that through inadvertence the provisions of existing law upon the subject were not observed by this department for a long period prior to the early part of the year 1876. About that time the attention of my immediate predecessor was called to the subject, and all settlements of accounts for advertising for this department or its bureaus have since been made upon the basis of the rates fixed by law.

The inadequacy of the compensation provided by sections 853 and 854 of the Revised Statutes will be apparent to every person who has a knowledge of the rates charged by newspapers for ordinary commercial advertisements.

Very respectfully,

C. SCHURZ, *Secretary.*

Hon. WILLIAM A. WHEELER,
Vice-President of the United States and President of the Senate.

O

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

A report of Assistant Adjutant-General Thomas M. Vincent in relation to Senate bill No. 386, "to extend the time for presenting claims for collecting, drilling, or organizing volunteers for the war of the rebellion."

JANUARY 14, 1878.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT,
Washington City, January 10, 1878.

SIR: I have the honor to transmit herewith, for the information of the Committee on Military Affairs, a report of Assistant Adjutant-General Thomas M. Vincent, dated the 7th instant, on Senate bill No. 386, "to extend the time for presenting claims for collecting, drilling, or for organizing volunteers for the war of the rebellion."

I concur in the views expressed by General Vincent.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. W. A. WHEELER,
President of the United States Senate.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., January 7, 1878.

SIR: Referring to Senate bill 386, 45th Congress, 2d session, entitled "To extend the time for presenting claims for collecting, drilling, or organizing volunteers for the war of the rebellion," I beg to invite attention to the following facts, in the belief that their presentation to the Senate will obviate the necessity of legislation looking to the reopening of a business which has been viewed as closed since June 30, 1874.

The medical branch was duly transferred, by order of the Secretary of War, to the charge of the Surgeon-General of the Army, with the view of complying with the requirements of the act approved July 28, 1866, in regard to the publication of the medical statistics of the Provost-Marshal-General's Bureau.

Offices, each under the direction of a mustering and disbursing officer, were continued at the following places:

State.	Station.	For what States, &c.
Vermont	Brattleborough	Vermont.
Massachusetts	Boston	Massachusetts, Maine, New Hampshire.
Connecticut	Hartford	Connecticut, Rhode Island.
New York	Albany	New York.
Pennsylvania	Philadelphia	Pennsylvania, New Jersey.
Maryland	Baltimore	Maryland, Delaware.
Ohio	Columbus	Ohio, West Virginia.
Indiana	Indianapolis	Indiana.
Kentucky	Louisville	Kentucky.
Illinois	Springfield	Illinois.
Missouri	Saint Louis	Missouri, Kansas, Dakota, Colorado, and Nebraska.
Iowa	Davenport	Iowa.
Minnesota	Saint Paul	Minnesota.
Wisconsin	Madison	Wisconsin.
Michigan	Detroit	Michigan.
Tennessee	Nashville	Tennessee.
New Mexico	Santa Fé	New Mexico.
California	San Francisco	California, Nevada, Oregon, and Washington Ter.

with a chief or general office in Washington—in all, 19.

In addition to the officers in charge, the force of clerks and messengers employed was:

Washington office	46
State offices	87
Total	133

March 19, 1867, the transfer of the records to Washington and the discontinuance of the State offices was commenced. In 1868 the offices were reduced to ten, and in 1869 to two—one in Washington, the other at San Francisco, Cal. The present date finds all the valuable papers and records transferred to the seat of government, and properly arranged for future reference.

From time to time there was a reduction of the force of employés, and only eight clerks of the general office force are now necessary to meet calls for information from the accounting-officers, and from State officers and others, relative to quotas, credits, drafted men and substitutes, deserters, "free or slave status" of colored soldiers, advanced bounty, collecting, drilling, and organizing volunteers, the enrollment and draft, and other subjects kindred to the foregoing. The examination of claims—rejected and suspended for informality, or under administrative action—is constantly pressing, on appeal and application, from claimants who file additional evidence and urge action, thus rendering reference to the records and other labor necessary in order to a proper understanding of the cases.

The excellent system established by the late Provost-Marshal-General of the United States was adhered to closely in closing the financial work. The miscellaneous work was conducted under the general system of the late bureau, in so far as it was applicable. Thereunder, it may be said that an extensive and most important bureau has closed itself.

For information relative to the financial portion of the business I invite attention to the statements herewith, marked A, B, C, D, and E.

The balances in the hands of the chief disbursing-officer of the Adjutant-General's Office on June 30, 1875, were as follows:

On account of collecting, drilling, and organizing volunteers	$8,629 07
On account of draft and substitute	18,993 11

The first of which is held to pay claims on account of expenses incurred in collecting, drilling, and organizing volunteers, and presented prior to July 1, 1874; the second, to pay claims incidental to the late Provost-Marshal-General's Bureau, such as reimbursement to discharged drafted men, under section 2 of the act of February 28, 1867, enrollment expenses, &c. No payments have been made under section 1 of the act of February 28, 1867, since October, 1869.

I have the honor to remain, general, your obedient servant,

THOMAS M. VINCENT,
Assistant Adjutant-General.

The ADJUTANT-GENERAL OF THE ARMY,
Washington, D. C.

Respectfully submitted to the Secretary of War.

E. D. TOWNSEND,
Adjutant-General.

A.

General statement of the appropriation for "collecting, drilling, and organizing volunteers," from January 1, 1866, to June 30, 1875.

Balance in Treasury January 1, 1866	$12,108,685 38
Returned to Treasury by disbursing-officers	1,000,319 81
Credited by reason of counter-requisition	3,910,261 88
Total	17,019,267 07
Debited by reason of counter-requisition	$1,18[illegible],834 33
Drawn by disbursing-officers for disbursement	743,258 00
Disbursements through accounting-officers of the Treasury	287,842 53
Carried to surplus-fund	14,800,309 35
Balance in Treasury June 30, 1875	2,022 86
Total	17,019,267 07

B.

General statement of the appropriation "draft and substitute fund," from January 1, 1866, to June 30, 1875.

Balance in Treasury January 1, 1866	$9,356,107 29
Returned to Treasury by disbursing-officers	116,951 96
Credited by reason of counter-requisition	2,510,472 13
Total	11,983,531 38
Debited by reason of counter-requisition	$1,102,539 80
Drawn by disbursing-officers for disbursement	286,600 53
Transferred to other appropriations	150,000 00
Carried to surplus-fund	10,444,391 05
Total	11,983,531 38

C.

General statement of the appropriation for the "relief of certain drafted men," section 1, act of February 28, 1867, from passage of act to June 30, 1875.

Drawn from Treasury	$65,000 00
Disbursements by disbursing-officers	57,600 00
Balance returned to Treasury	7,400 00

NOTE.—This appropriation was what is known as "indefinite." As required, the amounts necessary were drawn from the Treasury.

D.

Statement showing the financial operations since discontinuance of the Provost-Marshal-General's Bureau, August 28, 1866, to June 30, 1875.

Appropriation for "collecting, drilling, and organizing volunteers:"		
Total amount drawn from Treasury	$743,258 00	
Total amount refunded on account of errors, overcharges, &c.	755 62	
Total amount received from sale of public property	540 80	
		$744,554 42
Total amount expended by mustering and disbursing officers	732,368 84	
Total amount deposited to credit of the United States	3,556 51	
		735,925 35
Balance in hands of Capt. James McMillan, Third Artillery, disbursing-officer, June 30, 1875		8,629 07
Appropriation "draft and substitute fund:"		
Total amount drawn from Treasury	$182,000 00	
Total amount received from errors, overcharges, refundments, &c	64 50	
		$182,064 50
Total amount expended by mustering and disbursing officers	94,322 81	
Total amount deposited to credit of the United States	68,748 58	
		163,071 39
Balance in hands of Capt. James McMillan, Third Artillery, disbursing-officer, June 30, 1875		18,993 11

E.

Statement showing disbursements by disbursing-officers, by fiscal years, from date of discontinuance of the Provost-Marshal-General's Bureau to June 30, 1875.

Fiscal year.	Appropriations.			
	Collecting, drilling, and organizing volunteers.	Draft and substitute fund.	Relief of certain drafted men, under section 1, act of February 28, 1867.	Total amount disbursed.
From August 28, 1866, to June 30, 1867	$220,696 27	$35,285 92	$41,100 00	$297,082 19
From July 1, 1867, to June 30, 1868	130,509 40	16,544 10	14,100 00	161,153 50
From July 1, 1868, to June 30, 1869	129,448 00	26,799 00	2,100 00	158,347 00
From July 1, 1869, to June 30, 1870	91,563 57	10,196 96	300 00	102,060 53
From July 1, 1870, to June 30, 1871	79,931 09	3,282 14	.....	83,213 23
From July 1, 1871, to June 30, 1872	75,651 16	1,156 15	.....	76,807 31
From July 1, 1872, to June 30, 1873	2,940 92	307 58	.....	3,248 50
From July 1, 1873, to June 30, 1874	1,289 28	260 16	.....	1,549 44
From July 1, 1874, to June 30, 1875	339 15	490 80	.....	829 95
Total	732,368 84	94,322 81	57,600 00	884,291 65

[S. 386. 45th Congress, 2d session.]

In the Senate of the United States, December 6, 1877, Mr. Matthews asked and, by unanimous consent, obtained leave to bring in the following bill; which was read twice and referred to the Committee on Military Affairs.

A BILL to extend the time for presenting claims for collecting, drilling, or organizing volunteers for the war of the rebellion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for presenting claims for collecting, drilling, or

organizing volunteers for the war of the rebellion, limited to June thirtieth, eighteen hundred and seventy-four, by the act making appropriations for the legislative, executive, and judicial expenses of the government, approved March third, eighteen hundred and seventy-three (Statutes at Large, page five hundred, chapter two hundred and twenty-six, third session of the Forty-second Congress), be, and the same is hereby, extended to June thirtieth, eighteen hundred and seventy-nine.

O

45TH CONGRESS, 2d Session. | SENATE. | Ex. DOC. No. 8.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

In compliance with a Senate resolution of December 11, 1877, *information in relation to the location of bands of Apache and Ute Indians at Cimarron, N. Mex.,*

JANUARY 14, 1878.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, January 11, 1878.

SIR: In compliance with the terms of a resolution of the Senate adopted December 11, 1877, I transmit herewith a communication from the Commissioner of Indian Affairs, making a statement of the facts as regards the location of bands of Ute and Apache Indians at Cimarron, N. Mex., and inclosing copies of all letters, telegrams, and documents on file in relation to the depredations of said Indians.

I have the honor to be, sir, with great respect, your obedient servant,

C. SCHURZ,
Secretary of the Interior.

The VICE-PRESIDENT.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 15, 1877.

SIR: I have the honor to acknowledge the receipt, by your reference, of the following resolution of the Senate, dated 11th instant:

That the Secretary of the Interior be, and he is hereby, directed to report to the Senate by what authority the bands of Ute and Apache Indians are located, and an agency established, at Cimarron, N. Mex.; and also to transmit copies of all letters, telegrams, or other documents on file in his department, calling attention to the depredations of these Indians, and asking for their removal to their respective reservations.

In obedience to your direction for a report upon the resolution, I have to state that prior to 1861 the Muache Utes, who numbered about 500, and the Jicarilla Apaches, estimated at 960, were located on the west side of the Taos Mountain, at Taos, N. Mex. The valley of the Taos at that time was more densely populated with Americans,

Mexicans, and Pueblo Indians than probably any other portion of New Mexico, and there was an extensive whisky traffic carried on with the Indians, particularly when they made their periodical visits to the agency to receive their presents, which they generally exchanged for liquor. The results were disastrous, as there was no law to reach those who were engaged in the traffic. In order to remove these two bands of Indians from the deleterious influences surrounding them at Taos, and to save them from utter extinction, it was deemed best to secure a location for them on the east side of the mountains, on a stream called Ponial, which empties into the Cimarron; the Cimarron Valley at that time being but sparsely settled with a few American and Mexican families engaged in agricultural and pastoral pursuits, who were disposed to be on good terms with the Indians. Accordingly, in 1862, their agent was authorized to lease, of a landholder by the name of Lucien B. Maxwell, a tract of land containing twelve hundred and eighty acres in said valley, in the county of Mora, New Mexico, at the nominal price of $20 per annum, for the term of twenty-five years, the government reserving the right to relinquish the lands at the expiration of five years from the date of the lease or at any time thereafter, and the said Maxwell to take the buildings erected for agency uses at their appraised value. Copies of the lease and accompanying papers are herewith.

This location was regarded as temporary in its character, it being the policy and determination of the government to place these bands of Indians upon reservations.

On the 30th of September, 1876, it was deemed best to discontinue the Cimarron agency, and its affairs were temporarily placed under the supervision of United States Agent Benjamin M. Thomas, of the Pueblo agency, with merely a farmer in charge at Cimarron, until the Indians could be removed. It was the design of the department to place the Utes at Cimarron upon the northern portion of the Ute reservation, in Colorado, under charge of the agent of the White River agency, but they were extremely averse to going to either of the agencies in Colorado.

By the treaty of 1868, article 4, page 983, "Revision of Indian Treaties," the government agreed to establish an agency for the Muache and other bands of Utes on the Rio de los Pinos, in the southern portion of the said Ute reservation, and in compliance with said article, Congress made provision at the last regular session to establish that agency, designated as the Southern Ute agency, and $10,000 was appropriated for buildings at the agency, and other provisions made for salaries of agents and employés, for subsistence of Indians, &c. In April last, F. A. Weaver was appointed agent at this agency, and in connection with B. M. Thomas, under proper instructions from this office, selected a location for the agency on the Rio de los Pinos, as provided in the treaty. As the necessary preparations have been consummated by the agent to take charge of the Ute Indians belonging to his agency, it is proper to state that the officer will, at an early day, make the necessary recommendations for their removal, and also that the Apaches who receive their supplies at Cimarron, be removed to the Mescalero agency in the southern part of New Mexico.

By the last census taken of the Indians at the Cimarron agency, at the commencement of the present fiscal year, the number of Utes enrolled was 307, and of Jicarilla Apaches 442, making a total of 749, and it is believed that with the aid of the military the removal can be effected without difficulty.

Herewith are respectfully submitted copies of all letters, reports, tel-

egrams, and other documents on file in this office, as required by the resolution of the Senate, and the resolution is herewith returned.

Very respectfully, your obedient servant,

A. BELL,
Acting Commissioner.

The Hon. the SECRETARY OF THE INERIOR.

WASHINGTON CITY, D. C., *January* 3, 1862.

SIR: Permit me to call the attention of your department to the fact that there are no buildings of any kind furnished by the government for the residence of the agent and interpreter, and the accommodation of the Indians of my agency. The band of Utahs and Apaches of New Mexico, which are under the charge of this agency, are supposed to number about eighteen hundred persons. Several of the old women and children are almost constantly at the agency, and there is no place for them. The compensation of the agent is not sufficient to enable him to erect buildings and conveniences for the safe storing of the articles necessary to be issued by him.

As I desire to remove my family to the agency as early as possible next spring, and devote myself to the mental, moral, and physical improvement of the Indians under my charge, by the education of the children, in which I will be assisted by my family, it will be necessary to have a room erected suited for a council-chamber and school-room. My experience with the Indians has taught me that the only hope for the improvement and elevation of the red man is to educate the children, and form in them the taste for civilized life when young, and thus change the habits of the tribe.

The Indians under my charge have been accustomed to roam where they please, and engage in predatory warfare. It is therefore very difficult to control them, and more difficult to change their habits. Several of them, however, have expressed a willingness to leave their children with me so that I could take care of them. I desire to do this, but have not the means or facilities. I therefore beg leave to ask your department to authorize the erection of buildings at Cimarron, the present location of the agency. For this purpose I take the liberty to present the following plan:

A one-story building, 50 feet long by 20 feet wide, to contain two rooms, one to be used as cook-room and council-chamber for the Indians, the other for school-room and office of the agent, to be constructed of hewed logs, and plastered inside and outside. Another building, to contain six rooms, for residence of agent and interpreter, and for store-rooms for goods; this building to be constructed of adobes and plastered. The cost of the construction of these buildings will not exceed the sum of $2,000. Lands sufficient for the purposes of the agency can be leased at a nominal rent from the owners of the grant, who, I suppose, will agree to pay a fair valuation for the improvements at any time after the expiration of five years, if the government should desire to remove the Indians and agency from that location to a reservation.

I have the honor to be, respectfully, yours,

W. F. M. ARNY,
United States Indian Agent, New Mexico.

Hon. W. P. DOLE,
Commissioner Indian Affairs.

DEPARTMENT OF THE INTERIOR,
OFFICE INDIAN AFFAIRS,
January 9, 1862.

SIR: Your communication to this office of the 3d instant has been received and due consideration given to the statements and propositions it contains.

You represent an indispensable necessity for the immediate erection of two buildings at your present agency-site on the Cimarron, for the storage of the goods for distribution intrusted to your charge, for the accommodation of the agent, and for the holding of councils with the Indians, and a school-room for Indian children.

One of these buildings is to be of one story and of a length of 50 feet by 20 feet in width, and is to be divided into two apartments. The second building you propose is to contain six rooms. You estimate that the cost of both buildings will not exceed $2,000. Confiding in your representations, I accede to your request, and will make the necessary requisition on the Treasury for $2,000 to be paid to you for the objects above mentioned.

In this, and in all similar cases, where it is practicable, care should be taken to place agency-buildings on land the property of the United States, or, where that is not practicable, on land leased at a nominal rent for a period not less than twenty-five years, with a provision in the contract made with the proprietor of the land, that he will, after the expiration of five years, pay a fair consideration for the buildings and other im-

provements placed on his land, whenever the United States may determine to relinquish possession thereof.

If, therefore, you should find yourself unable to procure a site for the proposed buildings, either on land the property of the government, or which can be leased under the conditions here stated, you will suspend all progress in reference to the expenditure of the sum above placed in your hands, and report to this office.

It being the policy of the department to gather the Indian tribes of New Mexico within suitable reservations at an early day, Congress has been applied to by this office for the appropriations requisite to the measure.

As it is not doubted that Congress will favorably respond, you will be notified in due time to suspend operations on the buildings contemplated if it should be determined to abandon the location at the present site of your agency on the Cimarron.

Very respectfully, your obedient servant,

WM. P. DOLE,
Commissioner.

WM. F. M. ARNY, Esq.,
United States Indian Agent, present.

This indenture, made the tenth day of March, in the year of our Lord one thousand eight hundred and sixty-two, between Lucien B. Maxwell, of the county of Mora and Territory of New Mexico, of the one part, and W. F. M. Arny, United States Indian agent, for and in behalf of the Government of the United States, of the other part, witnesseth: That for and in consideration of the rents, covenants, and agreements hereinafter reserved and contained, and which on the part of the Government of the United States are to be paid, done and performed, the said Lucien B. Maxwell hath demised, granted, and to farm let unto the said Government of the United States all that certain tract or parcel of land, containing twelve hundred and eighty acres, situated, lying, and being a portion of "the Ryado grant," in the county of Mora and Territory of New Mexico, and described as follows, to wit: Beginning at a pinon tree on the east end of the Ponias Mountain and west of the mail-road from the Raton Mountain to Fort Union, and running thence one mile south across the Tonias Creek, thence west two miles up said creek, thence north one mile across said creek to the base of said Ponias Mountain, thence in an easterly direction two miles along the base of said mountain to the place of beginning. To have and to hold the said tract and parcel of land, with the appurtenances thereto belonging, unto the said Government of the United States, from the first day of April, in the year one thousand eight hundred and sixty-two, and for and during the term of twenty-five years next ensuing and fully to be completed and ended; yielding and paying therefor twenty dollars yearly, the first payment of which will be due and payable on the 31st day of March, eighteen hundred and sixty-three, and payment thereafter on each 31st day of March, during said term of twenty-five years, unto the said Lucien B. Maxwell, his heirs or assigns. And the said W. F. M. Arny, United States Indian agent, for and in behalf of the Government of the United States, doth hereby covenant, promise, and agree to and with the said Lucien B. Maxwell, his heirs and assigns, in manner following, that is to say, that the said United States Government shall and will well and truly pay, or cause to be paid, unto the said Lucien B. Maxwell, his heirs and assigns, the yearly rent of twenty dollars, in the manner heretofore limited and appointed according to the reservation thereof and the true intent and meaning of these presents. And the said Lucien B. Maxwell, for himself, his heirs, assigns, executors, and administrators, doth covenant, promise, and agree to and with the said United States Government, that the said United States Government paying the said yearly rent hereinbefore and hereby reserved, and observing, performing, and keeping all and singular the covenants and agreement herein contained, on the part of the United States to be observed, according to the true intent and meaning of these presents, shall, and may lawfully, peaceably, and quietly have, hold, use, occupy, possess, and enjoy the said described piece, parcel, or tract of land, as hereinbefore mentioned, for the term of twenty-five years, hereby granted, without any let, suit, hinderance, eviction, ejection, molestation, or interruption whatsoever of or by the said Lucien B. Maxwell, his heirs or assigns, or of or by any person or persons whatsoever lawfully claiming from or under him, them or any of them. And it is also agreed by and between the aforesaid contracting parties, that if at the expiration of the term of five years from the date hereof, or at any time thereafter, the United States Government, by the Commissioner of Indian Affairs, shall determine to relinquish possession of the within described tract or parcel of land, it may be done, and the yearly rent shall from the date of said relinquishment cease, and the said Lucien B. Maxwell hereby agrees for himself, his heirs and assigns, to pay to the United States Government a fair consideration for the buildings and other improvements placed on said land and thereon at the time of the notice of the aforesaid relinquishment, provided the said buildings shall not exceed the sum of two thousand dollars:

the valuation of the improvements to be determined by three disinterested persons to be chosen by the aforesaid contracting parties. In witness whereof the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

LUCIEN B. MAXWELL. [SEAL.]
W. F. M. ARNY, [SEAL.]
United States Indian Agent, New Mexico, in behalf of the Govt. of the United States.

Witness:
GEO. A. ROSS.
A. H. MAYER.

Approved:

J. F. COLLINS,
Superintendent Indian Affairs, New Mexico.

UNITED STATES SENATE CHAMBER,
Washington, January 30, 1877.

SIR: Numerous letters from citizens of Colorado convey the intelligence that, for months past, the Weeminuche and other bands of Ute Indians, roaming through the southern portion of the State, have been levying contributions and spreading terror among the inhabitants thereof. On account of some grievance, real or fancied, these Indians decline to visit the White River agency, some two hundred miles distant, for supplies, and consequently forage on our citizens. As a measure of protection and as a duty the government owes its pioneers, I join them in asking that an agency be established at some suitable point on the southern part of the Ute reservation, and that an agent be sent there to superintend and control these lawless marauders. The 4th article of a treaty negotiated by Felix R. Brunot, dated September 13, 1873, provides as follows: "The United States agrees, so soon as the President may deem it necessary or expedient, to erect proper buildings and establish an agency for the Weeminuche, Muache, and Capote bands of Ute Indians, at some suitable point to be hereafter selected on the southern part of the Ute reservation."

I have the honor to ask that your Excellency will take such steps in this connection as will carry out the above treaty and afford protection to the citizens of Colorado, whose rights are now the subject of Indian spoliations.

I have the honor to be, your obedient servant,

JAMES B. BELFORD.

To His Excellency U. S. GRANT,
President of the United States.

DEPARTMENT INTERIOR, OFFICE INDIAN AFFAIRS,
Washington, February 5, 1877.

SIR: I have the honor to acknowledge the receipt by department reference of your communication of the 30th ultimo, addressed to the President, inviting attention to the 4th article of the Brunot agreement of September 13, 1873, with the Ute Indians, wherein the United States agrees to erect proper buildings and establish an agency for the Weeminuche, Muache, and Capote bands of Ute Indians, at some suitable point on the southern part of the Ute reservation, so soon as the President may deem it necessary or expedient.

In reply thereto you are advised that a report was submitted to the honorable the Secretary of the Interior on this subject on the 6th ultimo, stating that, in the opinion of this office, the time had arrived when this provision of said agreement should be carried into effect, and recommending that Congress be asked to make the necessary appropriation, an estimate of the amount required for the establishment of said agency being submitted therewith.

The approval of the President having been given on the 9th ultimo, the subject was then submitted, with favorable recommendation by the honorable Secretary of the Interior, on the 12th ultimo, to the Hon. W. B. Allison, chairman of the Senate Committee on Indian Affairs, and the Speaker of the House of Representatives, for appropriate action by Congress.

I have the honor to be, very respectfully, your obedient servant,

S. A. GALPIN,
Acting Commissioner.

Hon. JAS. B. BELFORD,
House of Representatives, Washington, D. C.

UNITED STATES SENATE CHAMBER,
Washington, October 1, 1877.

SIR: I have the honor to call your attention to the bands of Indians who assume to be permanently located at and near Cimarron, N. Mex.

There is a band of the tribe of Apaches, whose reservation lies around Fort Stanton, nearly three hundred miles distant. This band is said to number about three hundred and fifty.

There is another band of Utes which, I believe, number about four hundred, who belong properly on the larger reservation of that tribe in Western Colorado, quite four hundred miles from Cimarron. There is no reservation whatever in the vicinity of Cimarron, where these Indians live, and believe it is the only instance where Indians who have reservations are permitted to roam at will over a vast area of occupied country and spend their whole time among the settlers.

I believe these two bands of Indians, numbering altogether about seven hundred, are unlawfully permitted to remain in a country owned and occupied by white people, commit more depredations in the way of horse-stealing, killing cattle and sheep, than any similar number of Indians in the country.

They are most insolent in their demeanor and demands. They will ride up to a settler's house in lots of ten or twenty and order food to be prepared for them; if the settler has not got it, he has to get it.

They go into a herd of cattle or sheep in the presence of the owner and kill as many as they want with impunity. I speak of this matter because I have had some personal experience with them this summer, and I think it is due the citizens of that country, as well as the government, that these Indians be removed to their respective reservations, and trust you will call the attention of Congress to the necessity of doing so.

Very truly,

S. W. DORSEY.

Hon. C. SCHURZ,
Secretary of the Interior.

Extract from annual report of United States Indian Agent B. M. Thomas.

OFFICE OF PUEBLO INDIAN AGENCY,
Santa Fé, N. Mex., August 20, 1877.

* * * By direction of the Hon. Commissioner of Indian Affairs, I took charge of the Cimarron agency, New Mexico, on the 1st of October, 1876. The Indians of that agency number 749; of this number, 307 are Muache Utes, and 442 are Jicarilla Apaches. They are all vagabonds, and there is no hope of improving their condition as long as they remain at their present location, and they will not go elsewhere until they are compelled to by a large military force. They do nothing for their own support except a little hunting. The government gives them a little clothing and other presents, and issues them weekly rations of beef and flour. They have no reservation where they are, and the agency is located in a small county town, where the Indians can usually procure all the whisky they can pay for. The agency has been a success during the year, in that it has kept the Indians quiet, and so protected the settlers in person and property at the least possible cost.

In May last, by direction of the honorable Commissioner, I assisted Agent F. H. Weaver in selecting a location for the Southern Ute agency, Colorado, about to be established. If that agency proves to be a success it will be the proper place for the Utes of Cimarron, as the Mescalero Apache agency, New Mexico, is the proper place for the Cimarron Apaches.

It is hoped that in time there may arise a favorable opportunity for so disposing of the Cimarron agency.

Very respectfully, your obedient servant,

B. M. THOMAS,
United States Indian Agent, Pueblo and Cimarron Agencies.

The COMMISSIONER INDIAN AFFAIRS.

[Telegram.]

SANTA FÉ, N. MEX., *October* 2, 1877.

COMMISSIONER OF INDIAN AFFAIRS, *Washington, D. C.:*

Can arrange with military commander for removal of Cimarron Indians; removal necessary; will you authorize it? Same should be done with Abiquiu. Give me some power and discretion. Warm Springs renegades have surrendered at Wingate. Send them to Fort Stanton reservation.

VANDEVER,
Inspector.

Circular-letter addressed to agencies in New Mexico, and agencies adjacent thereto.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
September 12, 1877.

SIR: Reliable reports have been received at this office to the effect that a large number of Utes from the Los Pinos and White River agencies have left their reservations and have been committing depredations in the country about Cimarron, N. Mex.

You are directed to take immediate steps to ascertain the facts in regard to these reports, and to adopt such stringent measures as shall prove effectual to compel these Indians to return to their reservations and remain there. They should be made to understand that if they do not regard the requirements of the department in this matter, but continue their raids through the country, they will be subject to arrest and punishment by the military.

Report the facts to this office at an early day. Why are these Indians allowed to roam through the country outside the reservation?

Very respectfully,

J. Q. SMITH,
Commissioner.

STEVENS.

OFFICE MESCALERO APACHE INDIAN AGENCY,
South Fork, Lincoln County, N. Mex., September 27, 1877.

SIR: In reply to your communication "C," September 12, I would respectfully state that I consider it impossible for any Indians of this reservation to have committed depredations in the vicinity of Cimarron, for the following reasons:

1st. Cimarron is distant from this agency at least 450 miles by the nearest road; the country through which they would have to pass is thickly settled, and there are several Mexican towns on the road. If any Indians had passed through any of these towns I would have been notified of the fact, but up to this date no notice has reached this office.

2d. Fort Union lies between here and Cimarron, at a distance of only fifty miles from the latter place; if, therefore, any depredations had been committed at Cimarron they are in telegraphic communication with the post, and could have called on the military to follow the trail and capture the offenders. Being fifty miles nearer to this reservation than the scene of the alleged depredations they could certainly have cut the Indians off and kept them from returning to this agency.

3d. There have at no time during the last three months been more than twenty-one bucks absent from their weekly issues, and such a small band would not dare to start out on a raid and place two large military posts (Fort Stanton and Fort Union) between them and their agency. It would be impossible for any other Indians to have left the reservation, go to Cimarron, and return so as not to miss their issue. I would here remark that had any depredations been committed by the Indians under my charge it would have been the first duty of the sufferers to have notified me, so that I could have taken immediate steps to discover and punish the perpetrators. As the matter now stands, your letter of September 12 is the first notice I have received.

I would, however, for my own satisfaction respectfully request to be furnished with the dates and particulars of the alleged depredations as reported to your office, so that I may give this matter a thorough investigation. It has not been the habit of these Indians to roam in that direction, on account of the many settlements and the proximity of Forts Stanton and Union. I am positive that there is some mistake as regards the identity of the offenders. If furnished with dates and other particulars I may be able to report more fully. General Vandever being still in the Territory I would respectfully suggest that the matter be referred to him for investigation.

I am, sir, your obedient servant,

F. C. GODFROY,
United States Indian Agent.

Hon. JNO. Q. SMITH,
Commissioner of Indian Affairs, Washington, D. C.

WHITE EARTH, COLO., *October* 2, 1877.

SIR: I am in receipt of your letter of September 12, 1877, "C," stating "that reliable reports have been received at this office to the effect that a large number of Utes from the Los Pinos and White River agencies have left their reservations, and have been committing depredations in the country about Cimarron, N. Mex., and directing me to take immediate steps to ascertain the facts in regard to these reports, &c., and to report to the Indian Office at an early day.

In reply I have to say that I know of no Indians belonging to this agency as being in that section of the country. About six weeks ago, one Indian, Tosakestz by name,

a half-witted fellow, went to what the Indians here call the Cimarron country, to see a brother; he has returned here. He is not a person to be engaged in any depredation.

About seven weeks ago eight lodges of Indians went from this agency to the Uhsapahgu agency, and thence to the Navajo country *to trade for blankets* for themselves and for others. They were absent *only about five weeks*, and brought back a large number of these blankets. This trip, for this *special purpose*, is a regular yearly affair with these Indians, different Indians going different years, and about the same number. I know of no other Indians from here having been in the direction referred to. You ask "Why are these Indians allowed to roam through the country outside of the reservation?" I reply that I do not allow them to thus roam; on the contrary I do all I can, constantly, to keep them upon their reserve. This I have told the department repeatedly and repeatedly within the last year. When the Indians go off it is in the face and in opposition of all that I can do to keep them at home. If the department wishes me to state what I think is the reason or cause why so many of the White River Indians have been off their reserve the past year (north and east, *not south*, however), I can state again, what I have repeatedly said to the department, that I think it is mainly because—

1st. They have no annuity goods for *two years* past.

2d. They have had not sufficient supplies, and lately none except beef.

3d. They have not been allowed to trade for guns and ammunition upon the reserve, except for special and undesirable kind, while at the same time they could get *anything* they wanted, in any quantity, off their reserve.

4th. Their trading-post upon the reserve has not been supplied the past year in articles desired, while at the same time numerous trading-posts have been established near the reserve at which they could procure what they wished, and every inducement has been extended to them to visit them.

Their own post upon their reserve has now been entirely abandoned by the trader as unprofitable.

They have been obliged to go somewhere to get the necessaries of life.

In regard to the complaints so frequently made the past summer, of which you have written, of a general firing the country for malicious purpose, I do not hesitate to repeat that I think they are very unjust and unwarranted as regards the Ute Indians of this agency.

Complaints of such fires come to me through the papers from all parts of the country, where no Indians could have been. I inclose to you three separate paragraphs which I cut from different parts of a single Cheyenne paper of September 20. I could send you no end of such paragraphs.

It has been a very and unusually dry summer. Everything in this valley has been literally burned up by the sun. Cracks in the earth from two to five inches wide and several feet deep in many places, caused by the drought; the season has been especially favorable to the spread of fires. Upon receiving one of your letters I stood at the agency gate and counted six different fires in different directions, on a single evening—one very extensive—all upon the reserve. And it should be known and considered that this country has been considered of little value by those who have lived in it, except for stock; that the almost universal sage-brush is the great evil; that when it is once burned off it does not come up again, but good grass does, and that stock-men are themselves repeatedly setting fires for the purpose of exterminating the sage-brush (the Indians have done it for a hundred years, perhaps). Had I not had my hands full of other work I would have taken advantage of this peculiarly dry season, and set all my hands to work burning sage-brush in this valley. I think in many cases fires that white men have been secretly glad of have been laid to Indians and complained of as a great depredation.

Again there are hundreds of parties of white men traveling through the country who regularly build their camp-fires, and many of them are not extinguished upon leaving camp, and spread into large fires.

One of the best Indians of this agency, whose word I consider as reliable as that of a majority of the white men of this country, who went from this agency to the Bear River Valley to inquire into the origin of the fires complained of, returned and stated that he himself saw white men start two such fires in one day while he was absent from the agency only two nights.

The mail-carrier to this agency, who is a resident in the Snake River Valley (next north of Bear), has stated here that the stock-men of the Snake Valley have been engaged throughout the summer in this work of burning off the sage-brush throughout that country. One stock-man with his hands (who had cattle on both Snake and Bear), has been at this work.

I trust that this matter will be fully considered before condemning those Indians without reservation,

Very respectfully your obedient servant,

E. H. DANFORTH,
United States Indian Agent.

Hon. JNO. Q. SMITH,
Commissioner of Indian Affairs, Washington, D. C.

DEPARTMENT INTERIOR, OFFICE INDIAN AFFAIRS,
Washington, October 19, 1877.

SIR: On the 27th of April last the necessary instructions were transmitted to you in regard to the location of the Southern Ute agency, and you were directed to make report of your progress in the work, with such suggestions and recommendations as might be deemed proper for the consideration and action of this office. The following is also embraced in your instructions:

"When the agency shall have been established your next duty will be the gathering of these Indians, who properly are to be embraced in it," &c.

On June 26 following, you were advised of the receipt of the report of yourself and Agent Thomas respecting the location of the agency; and also the approval of the recommendations therein made in regard to said location. Since the date of said report no communications have been received from you in regard to the progress made under office instructions referred to, nor have any monthly reports been made by you, as required in pamphlet copy of printed instructions accompanying the other instructions referred to.

Great complaint is made in regard to many of the Indians belonging to your agency, of their roaming habits, depredations committed by them, &c., especially against those about Cimarron and Abiquiu, and it is important that measures be taken to collect the Indians belonging to your agency upon the reservation, and that the office be informed with as little delay as possible of the progress made in the work, the number of Indians now upon the reservation, and such other matters as are important to a correct knowledge of affairs at your agency.

Very respectfully,

E. A. HAYT,
Commissioner.

FRANCIS H. WEAVER,
United States Indian Agent, Tierra Amarilla, Rio Arriba County, New Mexico.

DUBUQUE, IOWA, *November* 15, 1877.

SIR: Having just returned from an inspection of the Cimarron agency, New Mexico, I respectfully submit the following

REPORT.

The supervision of this agency has been assigned to Benjamin M. Thomas, agent of the Pueblos. His headquarters are at Santa Fé. I found John E. Pyle, an employé, in charge of the agency at Cimarron. Agent Thomas accompanied me on my visit to Cimarron.

The latest enrollment of the Indians of the Cimarron agency was made during the first quarter of the current year. The number reported is as follows:

Muache Utes	307
Jicarilla Apaches	442
Total	749

These are non-treaty Indians. No land has been set apart by the government for their use. In their present location, they are simply vagrants, trespassing upon lands, the title to which has passed from the government. They roam at will, subject to every possible demoralizing influence, and engage in no industry whatever. There is no school maintained among them. A regular weekly ration of seven pounds of flour and three and a half pounds of beef, per Indian, is issued at Cimarron, to such as claim it. Since the first day of January last the average number of Indians who have presented themselves weekly for rations at Cimarron is three hundred and sixty-one. It appears from these figures that only about half of the Indians avail themselves of the bounty of the government at Cimarron. The other half, consisting of the able-bodied ones, spend much of their time in roaming and hunting in the country bordering on Texas and the Indian Territory, where buffalo and other game abound.

Usually there is a fall issue of blankets, muslin, calico, frying-pans, and other useful articles, at Cimarron. My recent visit to the agency was at the time appointed by Agent Thomas for this annual distribution, of which notice had been given to the Indians, but not one Indian came to receive his share, and the goods consequently remain on hand. It is proper, however, to state that several cases of small-pox occurring about that time, among the few Indians living near the agency, the whole body of them stampeded to escape the dreaded disease.

The Utes of Cimarron agency properly belong with the Indians of that name at the Southern Ute agency in Colorado, and the Jicarilla Apaches belong with the Mescalero Apaches of the Fort Stanton reservation in New Mexico. I can see no good reason for

continuing to furnish rations at Cimarron to Indians who have no lands in that vicinity, and who fail to claim the supplies that the government provides for them at that point.

The same may be said of the Indians at the Abiquiu agency, where there are reported to be nine hundred of the Capote and Weeminuche bands of Utes, and three hundred and twenty-six Jicarilla Apaches. There is not a foot of land in that vicinity to which they have a shadow of right. They are trespassers on private property and exposed to every possible demoralizing influence.

The removal of these Indians seems to me to be an imperative necessity. It can be effected by simply giving notice that after a certain date no more rations will be issued or supplies furnished either at Cimarron or Abiquiu agencies, and that from and after that date the Jicarillas will be required to repair to the Mescalero Apache agency, and the Capote and Weeminuche bands of Utes to the Southern Ute agency for their supplies. The presence of a small military force may be required to insure prompt obedience to such an order and to guard against possible depredations on the settlers. General E. Hatch, the military commander of the district, is of the opinion that whenever authorized, he can effect the removal as above suggested without difficulty and at little or no cost to the government.

Very respectfully, your obedient servant,

WM. VANDEVER,
United States Indian Inspector.

HON. COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

ABIQUIU INDIAN AGENCY,
TIERRA AMARILLA, N. MEX., *September* 29, 1877.

SIR: I am this moment in receipt of your letter of the 12th inst., marked C. In reply I have to state that I have *good reason* for believing that there has not been a Ute Indian, belonging to this agency, *at or near Cimarron for months.* With a few exceptions the Utes are near the western line of their reservation, about 140 miles west from here, while Cimarron is 160 miles east from here.

Very respectfully, your obedient servant,

S. A. RUSSELL,
United States Indian Agent.

HON. COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

45TH CONGRESS, 2d Session. } SENATE. { EX. DOC. No. 9.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

In answer to a Senate resolution of November 16, 1877, *the report of the Commissioner of the General Land Office touching the seizure of logs, lumber, &c.*

JANUARY 15, 1878.—Referred to the Committee on the Judiciary and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., January 14, 1878.

SIR: In answer to Senate resolution of 16th November last, I have the honor to transmit herewith the report of the Commissioner of the General Land Office, under date of the 19th ultimo, concerning instructions given to agents touching the seizure of logs, lumber, &c., with the accompanying papers.

I am, sir, very respectfully, your obedient servant,

C. SCHURZ,
Secretary.

Hon. WM. A. WHEELER,
President of the Senate.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 19, 1877.

SIR: I have the honor to acknowledge the receipt, by reference from the department, of a copy of Senate resolution of November 16, 1877, which is as follows:

IN THE SENATE OF THE UNITED STATES,
November 16, 1877.

Resolved, That the President be requested, if in his opinion not incompatible with the public interest, to communicate to the Senate the instructions given to the agents and marshals of the United States in the States of Alabama, Florida, Mississippi, and other States and Territories, touching the seizure of logs, lumber, and naval stores, suspected of having been taken from the public lands of the United States; whether or not under the orders given to said agents and marshals large amounts of property in possession of citizens of the United States, held under claim of valid title, have been seized without warrant supported by oath or affirmation, and particularly describing the things to be seized.

Attest: GEO. C. GORHAM,
Secretary.

continuing to furnish rations at Cimarron to Indians who have no lands in that vicinity, and who fail to claim the supplies that the government provides for them at that point.

The same may be said of the Indians at the Abiquiu agency, where there are reported to be nine hundred of the Capote and Weeminuche bands of Utes, and three hundred and twenty-six Jicarilla Apaches. There is not a foot of land in that vicinity to which they have a shadow of right. They are trespassers on private property and exposed to every possible demoralizing influence.

The removal of these Indians seems to me to be an imperative necessity. It can be effected by simply giving notice that after a certain date no more rations will be issued or supplies furnished either at Cimarron or Abiquiu agencies, and that from and after that date the Jicarillas will be required to repair to the Mescalero Apache agency, and the Capote and Weeminuche bands of Utes to the Southern Ute agency for their supplies. The presence of a small military force may be required to insure prompt obedience to such an order and to guard against possible depredations on the settlers. General E. Hatch, the military commander of the district, is of the opinion that whenever authorized, he can effect the removal as above suggested without difficulty and at little or no cost to the government.

Very respectfully, your obedient servant,

WM. VANDEVER,
United States Indian Inspector.

HON. COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

ABIQUIU INDIAN AGENCY,
TIERRA AMARILLA, N. MEX., *September 29, 1877.*

SIR: I am this moment in receipt of your letter of the 12th inst., marked C. In reply I have to state that I have *good reason* for believing that there has not been a Ute Indian, belonging to this agency, *at or near Cimarron for months.* With a few exceptions the Utes are near the western line of their reservation, about 140 miles west from here, while Cimarron is 160 miles east from here.

Very respectfully, your obedient servant,

S. A. RUSSELL,
United States Indian Agent.

HON. COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

C

"Independent of positive legislative provisions, I apprehend that, in relation to all property, real or personal, which the United States are authorized by the Constitution to hold, they have all the *civil* remedies, whether for the prevention or redress of injuries, which individuals possess. (See 3 Wheaton, 181.) So the United States, being authorized to accept and to hold these lands for the common good, must have all the legal means of protecting the property thus confided to them that individuals enjoy in like cases. * * * They are, therefore, in my opinion, entitled to the injunction of waste by way of prevention, and to the action of trespass by way of punishment, in like manner as individuals similarly situated are entitled to them."

2d. Attorney-General Taney, now Chief Justice of the United States, in an opinion of 22d of August, 1833, cites this opinion of Mr. Wirt and concurs in it.

3d. Attorney-General Mason, in a communication of 16th July, 1845, refers to the opinion of Attorney-General Nelson of the 11th August, 1843, and, in concurring in it, states that "when the right of pre-emption exists, the settler who has complied with the provisions of the act of 4th September, 1841, has a right of occupancy for twelve months within which he may perfect his title by paying the minimum price of the land. Like the settlers under the armed occupation act, his right is inchoate only, and he has only those rights of property which are necessary to the perfecting of his title. He may clear the land, build on it, and inclose it with a view to cultivation. For these purposes he may use or destroy any trees which may be necessary, but within these restrictions, and necessary fire-wood, he is confined."

The penal act of 2d March, 1831, provides "for the punishment of offenses committed in cutting, destroying, or removing live-oaks and other timber or trees preserved for naval purposes."

This act of 2d of March, 1831, you will find fully considered in the case of the United States *vs.* Ephraim Briggs (9 Howard, p. 351), in which the Supreme Court decided that the said act authorized the prosecution and punishment of all trespassers on public lands by cutting timber, whether such timber was fit for naval purposes or not.

4th. Under no circumstances will you compound or compromise with any such trespassers or receive any pay or compensation from them as acquittal or discharge therefrom, or in any other manner; neither will you give any permission to cut timber or otherwise trespass on the public lands, as there is no authority for any such proceeding, but all such offenses against the law must be prosecuted and tried by the authorities duly constituted for that purpose.

5th. Should you find such trespass committed on *swamp* lands or those which are rendered unfit for cultivation by overflow, you will take no further action than to notify the governor of the State, as all such lands inure to the State under the act of 28th of September, 1850.

6th. In the enforcement of the said act of 1831 you should be careful not to interfere with pre-emption rights under the act of 4th September, 1841, the settler, with a view to cultivation, having the right as hereinbefore indicated, to use or destroy trees in clearing roads and constructing bridges, or for any other purpose connected with the improvement of his homestead.

7th. While thus liberal to the honest settler, you should be vigilant to detect and arrest the speculator, who, in the guise of a settler, and under the sanction of a declaratory statement, may contemplate the spoliation of timber, and unless arrested might seriously injure the public interest.

8th. Where the trespassers are unknown or known, and timber has been cut or removed off the public lands, you will cause it to be seized and sold at auction to the highest bidder, under such regulations as sound discretion may suggest.

9th. All moneys, the proceeds of the sale of timber, received by you must be deposited in some one of the United States depositories to the credit of the judiciary fund, without abatement, and an immediate report made of the same to this office with a full statement of all particulars duly verified.

10th. In the prosecution of your duties you may, upon any pressing emergency, deputize a reliable person to investigate and report the fact involved in any supposed case of trespass, and allow a per diem of $3, and a mileage at the rate of 10 cents per mile. In making any such appointment you will report the fact instanter, and the necessity for it, and will require in the affidavit of the employé a statement of the time actually occupied in the service, and the distance traveled. An account verified by the party and certified by you should be reported to this office for payment. Where there is no pressing emergency for the appointment of an agent, you will refer the facts to this office for consideration and await instruction.

11th. In returns to this office of sales of timber you will be careful to designate the places of seizure, the quantity and kind of timber, whether in logs or manufactured, the price per foot, with the names and residences of purchasers, and cause the same to be verified by a certificate from the party making the seizure and sale.

12th. You are directed to make a report at the end of each quarter, the first to be rendered on 1st April next, of the proceedings of your office, pursuant to these instruc-

tions, and showing the operation of this system as preventive means; also the number of acres entered by trespassers through its constraining influence.

You are requested to acknowledge the receipt of this, and advise me of such preliminary steps as you may take with a view to a compliance with the foregoing instructions.

Very respectfully, your obedient servant,

THOMAS A. HENDRICKS,
Commissioner.

From the date of this circular, December 24, 1855, to May 2, 1877, it has been sent to registers and receivers to govern their action, and has purported to be the governing rule, with exceptions as follows, viz:

1. In Minnesota the duties prescribed by the circular were transferred from the register and receiver for one land district, February 6, 1862, and afterward for all the State to the surveyor-general, and so continued until July 21, 1876, when they were again imposed upon the registers and receivers.

2. The fourth section of this circular is as follows:

Under no circumstances will you compound or compromise with any such trespassers, or receive any pay or compensation from them as acquital or discharge therefrom, or in any other manner; neither will you give any permission to cut timber, or otherwise trespass on the public lands, as there is no authority for any such proceedings: but all such offenses against the law must be prosecuted and tried by the authorities duly constituted for that purpose.

Notwithstanding this direction in the circular, it appears that from time to time, commencing in 1860, compromises, with the assent of the Secretary of the Interior, were made with parties who had cut timber upon the public lands. In letter to this office, dated March 7, 1860, the Secretary of the Interior authorized compromise on the following terms, viz: Entry of the land upon which the timber was cut; payment of 50 cents per thousand feet, together with all the expenses incurred in making the seizure. And in letter of 16th of January, 1862, to this office, the Secretary remarks in regard to the opinion of the United States district attorney for Minnesota, which was to the effect that all settlements by way of compromise should be rejected, and offenders should be prosecuted and full penalty exacted, that

The subject is one of interest and not free from embarrassment. I do not concur with the district attorney in the opinion that no settlement is to be made with trespassers. It appears to me that the main object proper to be kept in view should be to make the timber produce to the government the price of the land.

Subsequently the Secretary concluded that settlement with trespassers on the basis of entry of the land, payment of 50 cents per thousand feet, and costs attending the seizure, would be satisfactory. In course of time, owing to the fact that the lands from which the timber was taken were not subject to cash entry, or suitable for cultivation, and from other causes, the instructions for compromise came to be "a reasonable *stumpage* according to the market value of the timber cut, at a minimum, in no case, of less than $2.50 per thousand feet and costs."

As showing the position which had been assumed by this bureau on the subject of timber on the public lands, I quote the following from the annual report of Commissioner Edmunds for 1864:

Under authority of law and judicial decisions, this office has put in operation repressive measures against the spoliation of the timber on the public lands. These measures have extended to Michigan, Wisconsin, Minnesota, Dakota, Kansas, California, Oregon, Washington, and Nevada. Wherever the trespass has actually taken place, but found not to be willful, but through ignorance, it has not been the policy of the department to pursue the offenders in a vindictive spirit; but when the lumber has been taken from offered land, simply to require the actual entry of the premises and payment of costs. In the case of unoffered or unsurveyed land, we have enforced the payment of a liberal stumpage. Where timber is scarce, as in the case of Nevada

Territory, we have issued stringent orders to the district land-officers, and to the following effect. The importance of a supply of timber, when timber is so scarce, would seem to invoke protection in order to preserve it and prevent waste; but as the timber is chiefly to be found in the mountain slopes, on land not adapted to agriculture, it becomes a question as to what extent restriction upon its enjoyment shall be imposed on settlers in the Territory. In the case of pre-emptors and homestead settlers on lands fit for tillage, they are restricted to timber growing on the land for purposes of building, fencing, repairs, and fire-wood. Neither pre-emptor nor homestead settler can cut timber for sale until the former has made entry and the latter resided five consecutive years on the land. Where land settled and pre-empted is destitute of timber, in that case the party must, *ex necessitate*, be permitted to take timber from the mountain-slopes, but solely for domestic use, otherwise Nevada plains would be unsettled.

Should parties file for mountainous lands not fit for cultivation in order to cut and sell the timber, the register and receiver are directed to cause it to be seized and sold, for by so doing they would to some extent protect mill-owners from the exactions of speculators.

Persons who have invested in saw-mills and are reaping large profits from the necessities of the settlers must pay a reasonable tariff per 1,000 feet of timber sawed as stumpage, say not less than one-sixth the value per 1,000 feet of the manufactured lumber at the mill. This would be moderate in view of the great demand for timber in the Territory, and but consistent with honest principles that a compensatory return should be made for the timber.

In order to effect such an arrangement, the land-officers are authorized to consult the United States district attorneys as to the best mode of securing a revenue from the timber payable quarterly, on each and every thousand of feet sawed at the respective mills or used as cord-wood, hewn timber, or other description of timber, on a sworn statement of the number of feet taken. Should the "mill" owners, "cord-wood" "hewn timber" or "other timber" holders refuse to enter into such stipulations, the register and receiver are directed to advise them that the timber is public property and liable to seizure, and where the negotiation with them is not satisfactory, the register and receiver must promptly seize any timber cut upon the public lands.

The policy pursued has been quite efficient in mitigating the evil, and that, too, not only without any cost to the government, but leaving the avails of seizure in the Treasury of over ten thousand dollars.

Similar practice was afterward authorized in the Territory of Utah.

This practice of collecting stumpage became universal, and on my coming into office, June 26, 1876, I found that it was uniformly the custom in all parts of the United States and Territories where there was timber growing upon the public lands, and it so continued until the attention of the department was called to it, and the acting Secretary of the Interior, under date of July 17, 1876, directed that the local officers be required to obtain the approval of the department before compromising any case. As indicated in the quotation made from the report of 1864, and from other information in possession of this office, the cutting and removal of timber appears to have been, in many cases, by previous agreement with the officials.

In letter of August 22, 1876, J. H. Baker, esq., surveyor-general for Minnesota, remarks as follows in regard to settling timber cases in that State:

In using the term "settlements" it is not understood by this office that the parties charged with trespass are in any way acquitted or discharged from any offense against the law, and is, therefore, in no sense a compromise of any criminal act. As a rule the parties committing the trespass are irresponsible, and it proves to be quite difficult to trace the logs to the parties purchasing. When so traced they are generally in the hands of responsible parties believed to be innocent purchasers, and settlements, with deferred payments, are made by the purchaser assuming the stumpage due the government at dates on which they had agreed to pay the original holders. These adjustments are acceded to to save absolute loss.

3. Prior to 1872 the collections made for stumpage or sale of timber were carried to the credit of the judiciary fund, and the agents deputized by the registers and receivers were paid from this fund; but it having been decided that this could no longer properly be done, the first appropriation for paying expenses of suppressing depredations on

the public timber was the appropriation of $10,000, June 10, 1872 (Stats., vol. 17, p. 659). Since that there have been annual appropriations for the purpose as follows: March 3, 1873, $8,000 (vol. 17, p. 517); June 23, 1874, $5,000 (vol. 18, p. 213); March 3, 1875, $5,000 (vol. 18, p. 384); July 31, 1876, $5,000 (vol. 19, p. 122); March 3, 1877, $5,000 (vol. 19, p. 349); and the agents deputized by the registers and receivers have been paid from these appropriations for their services and expenses until January 9, 1877, when the following circular-letter was issued to registers and receivers:

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 9, 1877.

Register and Receiver:

GENTLEMEN: I have to direct that, on receipt hereof, you report to this office whether or not you have or have had any deputy timber agents employed under the tenth section of the circular of December 24, 1855; if so, give the name of any such deputy, the date of his employment, and how long his services will probably be required; also the amount of liabilities you have incurred up to date as timber agents under that circular.

In future employ no deputies without specific authority therefor first obtained from this office.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

4. Written statements having been filed in this office alleging extensive depredations, with complicity of officials in Minnesota, after consultation with the department, I appointed John W. Jones special agent, to proceed there and make a through investigation. Copies of the instructions which have been given Mr. Jones from time to time are hereto appended, numbered 1 A to 24 A.

There being no practical results from the registers and receivers in Wyoming, Utah, and Idaho, under date of the 6th January, 1877, I appointed E. F. Hooker esq., a special agent of the office, to prevent the destruction and waste of public timber in these Territories, and instructed the several registers and receivers to co-operate with him. Copies of instructions to Mr. Hooker and to registers and receivers to co-operate with him are hereto appended, numbered 1 B to 9 B.

Under date of the 5th April, 1877, E. A. Protois, esq., a clerk of this office, who was at that time engaged in the State of Iowa in taking testimony in regard to the swamp lands, was ordered to proceed to Saint Paul, Minn., to detect timber trespass. Copies of the instructions given Mr. Protois are hereto appended, numbered from 1 C to 33 C.

A statement of these facts was made to the department January 24, 1877, with the conclusion, after a review of the whole subject, that there were no practical results in the way of suppression of depredations or collection of values through the registers and receivers; the total amount of money deposited in the Treasury on account of timber trespass from the 1st of January, 1856 (being the beginning of our records upon the subject), to that date being $199,998.50, and the total amount paid out for service rendered and expense during the same period $45,624.76, leaving a balance net to the United States, if no appropriation had been made, of only $154,373.74; being a little more, if any, than the value of timber on 5,000 acres of good pine-land. The recommendation was made that thereafter the registers and receivers should no longer take charge of the timber business, but, so far as the limited appropriation would defray the expense, special agents should be appointed by this office to act in the premises.

Section 453, Revised Statutes of the United States, provides that—

The Commissioner of the General Land Office shall perform, under the direction of the Secretary of the Interior, all executive duties appertaining to the surveying and the sale of the public lands of the United States and in any wise respecting such public lands. * * *

It is held by the Supreme Court, in the case of the United States *vs.* Cook (19 Wallace, 591), that "the timber while standing is a part of the realty, and it can only be sold as the land could be, and, unless lawfully cut, will remain the property of the United States."

The appropriation available at that time, that of July 31, 1876, which is, along with other appropriations, to be expended under the direction of the Commissioner of the General Land Office, was made in the following language: "To meet expenses of suppressing depredations upon the public lands, $5,000." It was thought that in view of these provisions of law, authority existed for the appointment of special agents by this office.

The department, under date of the 5th of April last, concurred with this office that the system heretofore adopted had failed to accomplish the desired purpose, and approved the action in discontinuing it and in employing special agents, and directed as follows:

First. That hereafter all agents employed for this purpose be employed by you, and borne on your rolls as clerks or employés; that they be detailed for special duty to act under your instructions in ascertaining when, where, and by whom depredations have been committed upon the public lands, and to report to you the facts in each case.

Second. If, upon an examination of the reports so obtained, you find that the facts elicited in any case warrant the commencement of legal proceedings to punish the trespassers or to collect damages for the waste already committed, or both, you will report the same to this department, with your opinion thereon, in order that such further proceedings may be had in the premises as the case may require.

Third. No agents employed by you will be permitted to make any compromise for depredations on the public lands, but if any propositions for settlement are submitted to them, you will instruct them to report the same to you, with a full statement of the facts in the case, showing the nature and extent of said depredations, when and by whom committed, the amount and value of the timber when cut, and the value of the land in its present and former condition; all of which, together with your opinion thereon, you will transmit to this department for further consideration.

Fourth. If in any case the emergencies should seem to require more prompt action than is contemplated in the above directions in order to arrest the offender or to secure the government for the damages suffered, you will instruct your agent to apply to the United States district attorney for the district in which the waste was committed, to institute the proper legal proceedings for that purpose. This course, however, must be taken only in cases where the evidence is clear and indisputable.

In the execution of this direction the following circular was prepared and sent to all the registers and receivers:

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 2, 1877.

To Registers and Receivers of United States land-offices:

GENTLEMEN: The Secretary of the Interior has concluded to change the method formerly adopted for protecting the timber on the public lands, by which you were made agents for that purpose within the limits of your respective land districts, as per circular of December 24, 1855. Pursuant to directions from him of the 5th ultimo, the instructions of that circular are hereby revoked.

Hereafter, as it may be found advisable, from time to time, for the end in view, clerks or employés will be detailed from this office to act under instructions of the Commissioner in ascertaining when, where, and by whom depredations have been committed upon the public lands, and to report to him the facts in each case.

If, upon an examination of the reports so obtained, the Commissioner finds that the facts elicited in any case warrant the commencement of legal proceedings to punish the trespassers or to collect damages for the waste already committed, or both, he

will report the same to the Secretary of the Interior, with his opinion thereon, in order that such further proceedings may be had in the premises as the case may require.

The clerks or employés detailed as aforesaid will not be permitted to make any compromise for depredations committed on the public lands. If any propositions are submitted to them with that object, they will be required to report the same to this office, with a full statement of the facts in the case, showing the nature and extent of said depredations, when and by whom committed, the amount and value of the timber when cut, and the value of the land in its present and former condition; all of which, together with the opinion of the Commissioner, will be submitted to the head of the department for further consideration.

If in any case the emergencies should seem to require more prompt action than is contemplated in the rules above indicated, in order to arrest the offender or to secure the government for the damages suffered, it will be the duty of the clerk or employé detailed to act in the matter to make direct application to the United States district attorney for the district in which the waste was committed to institute the proper legal proceeding for that purpose. This course, however, must be taken only in cases where the evidence is clear and indisputable.

The foregoing is communicated for your information. You will observe therefrom that you are not hereafter to act as agents for the protection of the public timber, although your co-operation is expected whenever you may be called on to render assistance to officials charged with the duty.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

Further report upon the subject was made by this office to the department, under date of the 16th August, in which it is proposed to use, from the contingent fund of this office, seven to ten thousand dollars, in addition to the appropriation above referred to, in defraying the expense of persons to be appointed and borne on the rolls of this office to detect timber trespass.

A division of the States having public lands into districts was recommended, and that one clerk be detailed to take charge of the division, and others to act under his direction. These recommendations met with the approval of the department, which was communicated under date of the 18th of August last, and in accordance with this and the authority of the department of April 5, 1877, heretofore mentioned, as many persons as the funds available would warrant have been detailed, and have been appointed, and sent to the various localities where depredations were supposed to exist.

Copies of the instructions that have been given to the other persons appointed and detailed, and of letters of this office relative to timber trespass since July 21, 1876, except those addressed to the department, are hereto appended, numbered from 1 D to 307 D.

In regard to the interrogatory of the resolution, "whether or not, under the orders given to said agents and marshals, large amounts of property in possession of citizens of the United States, held under claim of valid title, have been seized without warrant supported by oath or affirmation, and particularly describing the things to be seized," I would respectfully state that all seizures made prior to the 2d May, 1877, were, with few exceptions, made by timber agents, so called, without process of law, in compliance with the eighth section of said circular of December 24, 1855, such agents having been appointed or deputized, as authorized by the tenth section of said circular. The quantities in such instances were generally quite small, and the seizures extending over a period of twenty years; it would require great length of time to go through the records and collate the details, which would be very voluminous.

There have been no seizures made since the 2d May, 1877, except under process duly issued from a United States court, and in pursuance of proceedings instituted; their exact character, and the extent of the

seizures made thereunder, can only be definitely ascertained through the Department of Justice, as the information in possession of this office has been obtained from the officials of that department, when occasionally transmitted by the special agents for the information of this office.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

Hon. C. SCHURZ,
Secretary of the Interior.

INSTRUCTIONS TO JNO. W. JONES.

[1 A to 24 A, inclusive.]

1 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 3, 1876.

SIR: By authority of the act of Congress approved July 31, 1876, entitled "An act making appropriations for sundry civil expenses of the government," &c., you are hereby appointed a special agent of this office for the purpose of investigating certain allegations and charges of fraud and official misconduct, and more particularly referred to in my letter of instructions to you of even date herewith. I enclose the customary oath of office, to which you will swear and subscribe your name, and return to me as soon as possible.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

Hon. JOHN W. JONES,
Indianola, Warren County, Iowa.

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2 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 3, 1876.

SIR: You are hereby directed to proceed at once to Saint Paul, Minn., to investigate the allegations and charges set forth in the letter of C. W. Nash, esq., of Saint Paul, Minn. (copy herewith), and especially to examine into the following:

You will confer with the writer of the letter, and with any other person or persons he may recommend, obtain from him such evidence as he may have in writing, and referred to in his letter, together with such information as he may be willing to impart to you bearing upon the subject under investigation, with a view of ascertaining the name and whereabouts of the persons referred to by Mr. Nash, who have paid money to United States officers for stumpage, and which it is claimed has not been wholly accounted for by said officers in their returns to this office; the date, as near as may be, of the commencement of and the probable

period covered by these transactions, and the number of cases that may come to your notice. Ascertain, if possible, if such a combination as that referred to in the letter, known as the "Pine-Land Ring," exists; the names of persons connected or supposed to be connected therewith; the extent of their operations, and the territory covered thereby; whether any person or persons suspected of being or known to be a member or members of such a ring have been enabled to defraud the Government of the United States by criminal collusion with the local officers at any of the United States land-offices in Minnesota, or elsewhere, and whether such officers, including the surveyor-general of Minnesota, have aided or knowingly countenanced such fraudulent practices, and if the same have been confined to any particular land district. You will also take careful notes of any actual cases of the kind that may come under your special notice.

The objects of the investigation are, first, to protect the government in its right to the timber growing upon unappropriated public lands; second, to prevent, if possible, any further waste or destruction of the public timber on said lands; and, third, to obtain such proofs of facts as will enable the proper United States district attorney to prosecute the guilty parties.

In order that you may thoroughly understand the duties imposed upon you and to enable you to pursue your examination intelligently, I enclose herewith a memorandum with references to all the laws bearing upon the subject, together with copies of instructions issued by this office to the registers and receivers of the several United States land-offices. Should other points bearing upon the subject be presented to you, you will communicate the same to this office, and such other instructions will be given as the matter may appear to warrant.

You will prosecute your inquiries with caution and discretion, as expeditiously as possible, and embody in a report to this office the facts elicited and your conclusions thereon.

For this service you will be allowed as compensation the sum of $6 per day for each and every day in which you may be employed, together with your actual and necessary expenses as incurred, in accordance with circular of instructions herewith.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

Hon. JOHN W. JONES,
Indianola, Warren County, Iowa.

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3 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE.
Washington, D. C., October 3, 1876.

MY DEAR SIR: It has been an object of solicitude to protect from depredations the timber growing on the unappropriated public lands of the United States. The act of Congress approved March 2, 1831, now incorporated in section 2461 of the Revised Statutes of the United States, made it an offense punishable with fine and imprisonment to cut *or remove* the timber from the public lands without authority.

Several years ago a system of timber agencies was established under

the supervision of the Solicitor of the Treasury. This system, however, was abolished in 1855, and the duties of the timber agents were devolved on the registers and receivers of the several United States land-offices. They were instructed to seize and sell all timber found to have been cut in the public lands contrary to law, and deposit the proceeds in the Treasury of the United States, and to report the cases to the proper United States district attorney for the prosecution of the offenders under said law above quoted, except where, with the previously obtained approval of this office, a compromise was effected in view of mitigating circumstances.

A careful reading of the law and instructions as also of the several rulings by the Attorneys-General of the United States and the courts will enable you at once to see the importance the government attaches to its timber, a wanton waste of which is yearly increasing.

To guide you in your investigations I will say that we have little or no information as to the true state of affairs, how far the depredations have extended, or the amount of money the Treasury has been deprived of; beyond the facts set forth in Mr. Nash's letter we know little or nothing except that such depredations are being committed. Of Mr. Nash we have no official information as to his integrity or honesty of purpose in bringing such charges. Personally I know nothing of him, so that you will have to be very guarded and cautious; listen attentively to what he has to say; make careful notes of the names of persons, whether private citizens or officers of the United States Government, whom he charges as being implicated, allowing him to know no more of the manner in which you intend to prosecute your examinations than is absolutely necessary to obtain the information he professes to have, and retain his confidence, from which you will draw your own conclusions and be guided and prompted in your investigation of any actual case by a sense of justice and fairness toward all parties involved, *pro* and *con*.

Under no consideration should the United States surveyor-general of Minnesota or any of the local officers (registers and receivers) of United States land-offices be apprised of your doings or that you are there in any official capacity in behalf of this department.

In a business of this kind you cannot be too cautious or too discreet; Mr. Nash may be all that he is represented to be, and his statements may be worthy of credence, made in good faith for the interest of the state; on the other hand the offenses may be magnified, and the allegations and charges made from some personal motive tending to subserve some purpose of which we are entirely ignorant. At any rate when you have seen and conversed with him you will be better able to judge for yourself of his motives, &c.; yet we must be prepared for all contingencies.

You will observe that Mr. Nash in his letter (copy of which is sent you) is very guarded throughout all his statements. He makes strong assertions against somebody, but that somebody is not named; no names are given at all. This might be considered somewhat suspicious; yet he says that all the charges made can be sustained by undoubted proof, a great deal of which is in his possession, in the shape of affidavits, &c., and refers to some actual cases of his own knowledge. This looks plausible, and it is hardly to be presumed (regarding him as an honest man and knowing nothing to the contrary) that he would make such statements unless true in some if not all respects; but of the motives which prompt him to bring this matter before us, in the form he has, we know nothing. Nevertheless, whether his statements be true or not, the department has determined upon an investigation, and left it with me

to name some one who could be implicitly relied upon to conduct such investigation. I thought of you, my friend, and mentioned you for the duty. I know you, and I need not reiterate my advice to be discreet and observant.

As special agent of this department, you are authorized by law (sec. 183, Revised Statutes) to administer oaths to witnesses, or persons attending to testify or depose in the course of such investigations.

This is very desirable and obviates the necessity of taking your witnesses before a county clerk or notary public, and enables you to conduct your investigations secretly. When you have a case fully worked up and the testimony (which of course will be at present *all ex parte*) ready, you will transmit the same to me, marking your envelopes "Confidential," as all other communications to me on this subject should be marked, and if the case involves one or many of our officers to whom it may be deemed necessary to give an opportunity for explanation (without placing the matter at once into court), you will be advised accordingly.

I do not consider it necessary for you in this primary investigation to interview, consult, or confer with any of our officers, as by so doing, if they are implicated as charged, you would expose the object of the investigation and be baffled at every step of inquiry. You have my fullest confidence to pursue your inquiries, after you have mastered the situation, in your own way and as your experience and intelligence prompt you. Accompanying this you will find a lot of blanks necessary in making up your accounts, which you will send to me every month with all expenses incurred itemized and supported by vouchers, where vouchers can be obtained. Of course vouchers cannot be obtained for railroad fares or meals *en route*, so you will just itemize the amount disbursed. To each account you will subscribe to the following oath: I, John W. Jones, do hereby certify that the within itemized statements of my actual and necessary expenses were paid "by me as therein set forth, and that the same were actually necessary for the service in which I have been engaged."

Trusting to hear from you soon, and your willingness to accept the position, I am, very truly, yours,

J. A. WILLIAMSON,
Commissioner General Land Office.

Hon. JOHN W. JONES,
Indianola, Warren County, Iowa.

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4 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 6, 1876.

DEAR JONES: Hon. O. P. Whitcomb, auditor of the State of Minnesota at Saint Paul, is in possession of much information concerning the matter you will have to investigate. Fearing combinations against you I would advise you not to make your business known where you can avoid it.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

Hon. JOHN W. JONES, *Indianola, Iowa.*

5 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 21, 1876.

DEAR SIR: In reply to your letter of the 18th, I have to say that I have no objection to your going home to vote.

I am, very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

Hon. J. W. JONES, *Saint Paul, Minn.*

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6 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 15, 1876.

DEAR SIR: Please to make out your account for salary and expenses for the month of October on one blank, and forward as soon as practicable. The account rendered by you some days ago has been lost or mislaid.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

J. W. JONES, Esq., *Des Moines, Iowa.*

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7 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 28, 1876.

J. W. JONES, *Saint Paul Minn.:*

What progress are you making? I am anxious to hear something about the matter you have in hand. A gentleman by the name of Camp, living at Saint Paul or Minneapolis, knows very much about those matters.

Let me hear from you.

J. A. WILLIAMSON,
Commissioner.

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8 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 19, 1876.

SIR: In reply to your letter of the 12th instant requesting information in regard to your power and authority, as special agent of this office,

to investigate in regard to trespass by cutting and removing t[illegible]imber from the public land in Minnesota, and in that connection charge[illegible]s of fraud and official misconduct, you are advised that—

1st. You have no power to compel the attendance of witne[illegible]sses, nor is it thought that this will be necessary to accomplish the objec[illegible]ts of your appointment. These objects, as enumerated in your instruc[illegible]tions from this office of October 3, 1876, are:

First, to protect the government and its right of timber-growing upon t[illegible]he unappropriated public lands;

Second, to prevent if possible any further waste or destruction of the p[illegible]blic timber on said lands; and

Third, to obtain such proofs of facts as will enable the proper United St[illegible]tes district attorney to prosecute the guilty parties.

It will not be necessary for you to sit as a court, but it will [illegible] be better for you to visit parties who are presumed to be in possession o[illegible] information as to trespass upon the public lands by cutting or removi[illegible]g timber, or complicity of officials, and obtain their affidavits, you h[illegible]ving the power, under the law of the United States (sec. 183 Revised [illegible]Statutes), to administer oaths. They may refuse to make affidavit, and [illegible]f so, you have no power to compel them; but it is thought that you m[illegible]y be able to find a sufficient number of persons, who will be actuated by a sense of their duty in protecting the interests of the government, to enable you to arrive at the facts, and when there is a reluctance to testify you should urge the duty of every good citizen to aid in protecting the property of the government.

2d. There is no specific provision for the payment of witnesses, and it will be better, probably, in view of keeping your action secret and accomplishing what is desired, for you to visit the witnesses, but if in any case it shall become necessary to have them appear before you, involving travel or loss of time, and they are not willing to do so without being compensated, you can pay them a reasonable sum, not exceeding the amounts paid to witnesses attending the United States courts, and take vouchers therefor, and make such payments a part of your account.

3d. If you find it necessary to employ any person to assist you, you can do so and pay him a reasonable compensation, or certify a vouch[illegible]er to be sent here for payment; but the necessity should be unquestiona[illegible]ble and the character of the service clearly set forth.

4th. The same rule applies to the employment of Mr. Nash [illegible] if his services are required he should be employed to such extent as yo[illegible] deem absolutely necessary, and receive compensation therefor.

It will be observed that your duty, so far as procuring testim[illegible]ony is concerned, is to obtain information to protect timber, prevent [illegible]waste, and enable action through the courts against guilty parties; and i[illegible]send-ing such testimony to the department you should state your impr[illegible]ession obtained by observation and inquiry as to the weight that sho[illegible]ld be given thereto, whether persons who make affidavits will probably [illegible]estify to the same facts in court, and whether their evidence will proba[illegible]ly be credited, and remain unimpeached.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissio[illegible]er.

JOHN W. JONES, Esq.,
Special Agent, Saint Paul, Minn.

9 A.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 27, 1877.

JOHN W. JONES, Esq.,
Saint Paul, Minn.:

Yours of the 23d, received. Report in person to this office.

J. A. WILLIAMSON,
Commissioner.

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10 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE.
Washington, D. C., March 29, 1877.

SIR: On the 7th ultimo I wrote you as follows, viz: "I am informed that Mr. C. W. Nash is acting very imprudently and unless he has some thing more than vague hints at frauds, and furnishes evidence which will enable you to recover moneys fraudulently withheld, his connection with this bureau will cease from and after the date of the receipt of this letter." This letter probably reached Minnesota after you had left there. Since that time several communications have been received from Mr. Nash, and his account for services for the month of February, 1877; but no action has been taken thereon.

The payment of his account, and his further retention in service, will depend upon your report. What he has furnished does not, upon cursory examination, appear to be of any practicable use. You must determine whether his services have been of value that entitles him to payment of his account, whether you regard his services of value to you in future, and in that connection whether he possesses proper discretion and can be relied upon. You will please report in regard to Mr. Nash at your earliest convenience. From and after the 1st of April, your name will be borne upon the rolls of this office as a clerk, in order to enable the payment of your expenses from the appropriation made for paying the actual expenses of clerks detailed to investigate trespasses upon the public lands. Your compensation as clerk will be paid from the appropriation made "to meet expenses of suppressing depredations upon timber on the public lands." You are instructed to prosecute your labors as speedily and to as great an extent as possible, and to report your action frequently. I shall expect to hear from you at least once a week. I notice your recommendation about appointing experienced explorers and scalers to visit the logging-camps, &c. What is wanted is testimony to be used by the United States district attorney, to enable the prosecution of civil or criminal suits. To this end you can select men, not to exceed four, who are experienced and whose veracity cannot be impeached, and send them to logging-camps or localities where trespass has been committed, and have them, by personal observation or by scaling, obtain information that will enable them to testify, and also they may be able to obtain and furnish names of witnesses. In selecting such persons you will be required to study economy, as the fund is very limited. Endeavor to obtain their service, at the lowest possible rates. Their payment will form a part of your actual expenses as a detailed clerk of this office, and as no money can be advanced to you,

you will have to certify vouchers for their services and expenses, and send to this office to be paid, and upon such vouchers should appear that such employment and expense is a part of the actual expense incurred by you. It is impracticable for me to give you instruction as to minor details. Much will have to be left to your discretion. I desire to impress upon you the necessity of obtaining definite facts.

You, or the men you may employ, are not authorized to seize and sell timber. You must follow the course indicated in your previous instructions. When you are satisfied that the witnesses are available to make a case either civil or criminal, report the same to this office in detail, that the same may be sent to the Department of Justice, with request that the United States district attorney may be instructed to institute proper proceedings. Take care to avoid cases that are barred by statutes of limitation. Advise me of the receipt of this. Your telegram of the 28th instant is received, and this letter answers the same.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

JOHN W. JONES, Esq.,
Special Agent, Saint Paul, Minn.

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11 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 5, 1877.

SIR: I have received your letter of the 2d instant. From the 1st instant, you will be borne upon the rolls of this office as a clerk of the third class, with a salary of $1,600 per annum, and, in addition thereto, will be allowed for your actual expenses. If Mr. Nash is retained, it will be at not to exceed the same rates. His account for February will be paid.

Much of the information furnished has been of a general nature.

Send, as soon as practicable, particulars, giving names of parties, names of witnesses, &c.

Mr. E. A. Protois, a clerk of this office, has been directed to proceed to Minnesota to aid in the detection of trespasses. He will consult with you, and you are instructed to give him all the information you can. Communicate frequently with me.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOHN W. JONES, Esq., *Saint Paul, Minn.*

I have been obliged to reduce the salary paid you for want of funds.

J. A. WILLIAMSON,
Commissioner.

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12 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 9, 1877.

SIR: For your full information in regard to the action heretofore taken to suppress depredations upon public timber, for reference to ex-

isting laws, and for the government of your action, I inclose herewith a copy of a report from this office to the honorable Secretary of the Interior, dated January 24, 1877, and of the Secretary's reply thereto, dated April 5, 1877. The Secretary's letter is so full and explicit in relation to your duties that I do not deem it necessary to add thereto, except to refer to my former instructions, and to call your attention to section 1044 of the Revised Statutes of the United States, which is as follows, viz:

No person shall be prosecuted, tried, or punished for any offense not capital, except as provided in section 1046, unless the indictment is found or the information is instituted within two years next after such offense is committed.

Therefore, in any case where criminal prosecution is contemplated, this limitation must be kept in mind. There is no limitation against the United States in civil actions to recover timber or the value of timber or money collected belonging to and withheld from the United States, but, with a view to such action, cases of recent occurrence should receive attention in preference to those where a great length of time has elapsed, as the former, as a rule, are more easily sustained by evidence; but it is desired that your investigation should be thorough, and embrace all in which there is any probability of sustaining a civil or criminal action. Maj. James P. McIlrath, deputy United States marshal, resident at Saint Paul, will give some attention to the detection of timber trespass, and will advise with you, and you will adopt such suggestions as meet with your approval. His large experience and aquaintance in Minnesota will enable him to be of service to you.

You will consult and co-operate with Mr. Protois, and your action should be promptly reported to this office.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOHN W. JONES, Esq., *Saint Paul, Minn.*

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13 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 16, 1877.

SIR: I have received your letter of the 4th instant, in reference to your duties as clerk of this office detailed to investigate trespasses upon the public lands or cases of official misconduct. I have to state as follows, viz:

First. The duty of protecting the timber on the lands granted for the Saint Paul and Pacific Railroad (Brainerd Branch) to which you refer, is to be left for the State or its grantees to perform, no forfeiture of the grant having been legally declared.

Second. In compliance with your request, a statement will be compiled from the files and records of this office, and sent to your address as soon as practicable, to show the timber-trespass cases reported to this office by the surveyor-general of Minnesota prior to the year 1872, as also the moneys reported as received and deposited by him prior to that year, on account of timber depredations, in his capacity as special timber agent.

Third. The information you request regarding the statutes of limitation was embodied in my letter to you of the 9th instant.

Fourth. Your instructions from this office must be strictly observed. Not only are you not to seize and sell timber, but there is no such thing as "stumpage" to be collected by you. If you have taken any action looking to the collection of any price or compensation for timber cut on the public lands by way of compromise, it is unauthorized, except with a view to report the same to this office, as provided in the third subdivision of the letter from the Secretary of the Interior to this office, dated the 5th instant, a copy of which was inclosed with mine to you of the 9th instant.

I refer you to the fourth subdivision of this letter in regard to cases calling for more prompt action than your general instructions contemplate. In such cases you may apply to the United States district attorney for the proper action, as therein directed.

Fifth. The following are the names of the surveyors-general in Minnesota since 1862, when the surveyor-general was designated as special timber agent, viz: W. D. Washburn, from April 13, 1861 to May 15, 1863; L. Nutting, May 15, 1865 to May 19, 1869; Chester C. Davidson, May 19, 1869 to February 7, 1871; Charles T. Brown, February 7, 1871 to October 13, 1873; Dana E. King, October 13, 1873 to March 22, 1875; and James H. Baker, March 22, 1875, to this date.

It is not contemplated in your instructions that you should appoint any "timber agents" or "assistant examiners" to be designated as such. You may employ men, not to exceed four, to assist in your investigations, and the cost thereof to be defrayed as part of your actual expenses, according to my letter to you of the 19th ultimo. Your letters of appointment, which were forwarded with yours of the 4th instant, follow the phraseology formerly in use, but not now appropriate; therefore, your letters to the persons employed by you should simply state the fact of such employment, and what they are to do, and the compensation to be given them.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOHN W. JONES, Esq., *St. Paul, Minn.*

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14 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 25, 1877.

SIR: In compliance with request contained in your letter of the 4th instant, I send herewith a written statement from the files and records of this office, showing the timber-trespass cases reported here by the surveyor-general of the district of Minnesota prior to the year 1872, as also the moneys reported as received and deposited by him prior to that year, on account of timber depredations, in his capacity of timber-agent, under appointment of February 6, 1862.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOHN W. JONES, Esq., *St. Paul, Minn.*

15 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 7, 1877.

SIR: I inclose herewith for your information a copy of a letter from the Attorney-General of the United States to the Secretary of the Interior, dated the 1st instant, referred by the latter to this office, indicating the action taken by the Attorney-General in regard to certain trespasses on the public lands, which formed the subject of the documents therein referred to. These consist of a copy which was furnished by this office of your letter of the 4th ultimo, and of the schedule which accompanied the same, marked "Exhibit D," together with a written statement from the official records as to the condition of the title to the tracts therein described. The statements of timber depredations which, as Exhibits A and B, accompanied Mr. Nash's letter to this office, dated the 22d February last, are undergoing examination in connection with the official plats and records; and when this is completed a report will be made to the head of the department, submitting the subject for the proper action thereon.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOHN W. JONES, Esq., *Saint Paul, Minn.*

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16 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 23, 1877.

SIR: I inclose herewith, for your information, a copy of a letter from the Hon. Attorney-General to the Secretary of the Interior, dated the 19th instant, showing the action taken in the matter of timber depredations in Minnesota, being the same which formed the subject of the letter of C. W. Nash, esq., to this office, dated the 22d of February last, and the two statements, marked as Exhibit A and Exhibit B, which accompanied the same.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOHN W. JONES, Esq., *Saint Paul, Minn.*

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17 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 18, 1877.

SIR: If Mr. C. W. Nash is still in your employ as assistant in making the investigation of timber trespasses in Minnesota, for which you have been detailed by this office, you will please discontinue his employment

as such on receipt hereof, and without delay report his account for settlement.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOHN W. JONES, Esq., *Saint Paul, Minn.*

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18 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 13, 1877.

SIR: Your letter of the 9th instant is at hand. You say it was understood when you went away that John A. Davis was to be employed to hunt up witnesses and such additional testimony as was needed, but it was not done.

The business in Minnesota is not being conducted in a manner to suit me, and hereafter I shall require more activity; and it will be necessary for you to go into the field in person. There should be no conflict between yourself and Mr. Protois. You should work together and try and procure such testimony as the United States district attorney desires.

Mr. Protois will be instructed to-day not to spread himself all over the country, but to confine his efforts to the business in hand, which I shall require of all the agents and their employés now in Minnesota.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

JNO. W. JONES, Esq.,
Merchants' Hotel, Saint Paul, Minn.

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19 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 18, 1877.

SIR: You are instructed to make and transmit your reports in duplicate. Keep this office advised of your post-office and telegraphic address.

Very respectfully,

U. J. BAXTER,
Acting Commissioner.

J. W. JONES, Esq., *Saint Paul, Minn.*

P. S.—A similar letter addressed to each of the other (12) agents.

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20 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 29, 1877.

SIR: I send herewith inclosed a copy of a letter addressed to the Hon. Secretary of the Interior, by M. H. McCord, esq., dated "Jenny,

Wis., September 11, 1877," stating that he is the agent for the protection of State lands for the Wisconsin River, and the lands bordering on the Wisconsin Central Railroad, and that he frequently comes upon trespassing on government lands; that he has now memorandum of several heavy trespasses committed during the last winter, and he will give information and assistance to persons sent there by the department.

You are directed to communicate and confer with Mr. McCord on this subject, or have some one else do so.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JNO. W. JONES, *Saint Paul, Minn.*

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21 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 29, 1877.

SIR: Your letter of the 22d instant has been received. In reply I have to direct that, hereafter, you will make and transmit your reports in duplicate, and to make no reference to your accounts in letters containing matter relative to trespass, but make a separate letter in each as they go to different desks. You will, also, report where the "booms' referred to are in the Wisconsin River.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOHN W. JONES, Esq., *Saint Paul, Minn.*

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22 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 30, 1877.

JOHN W. JONES,
Merchants' Hotel, Saint Paul, Minn.:

Your telegram received. Instructions will be sent you by mail.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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23 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 3, 1877.

SIR: I have received your letter of the 30th ultimo, reporting your conversation with the Indian agent relative to trespass upon the Red

Lake Indian reservation; and in view of the facts I do not think it necessary that a special trip should be made to that locality at this time.

If in course of operations in Minnesota it is convenient to do so, an examination can be made.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

JNO. W. JONES, Esq., *Saint Paul, Minn.*

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24 A.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 21, 1877.

SIR: I have received your letter of the 16th instant, in which you state that M. H. McCord, of Jenny, Wis., has written you, saying that he has been requested by District Attorney C. M. Webb, of Grand Rapids, Wis., to furnish witnesses in the case against Charles L. Wyatt, and that he replied that he had no witnesses, but that witnesses could be found, and that a survey of the land, with a scaling of the timber cut, must be made. You refer to your letter of the 17th September [October] from Jenny, Wis., reporting the cases of Woodlock and Wyatt, from which, you say, it will be seen that you stated that no witnesses were known in the Wyatt case, and that the testimony would have to be looked up, and that a survey and scaling was necessary; that you also asked for further instructions in regard to these cases, "but up to this time have received none, and am therefore in the dark, as to what you wish me to do in the matter. If these cases are successfully prosecuted it will be necessary to employ a surveyor and scaler to go on to the ground and carefully survey the land, and scale the timber cut, and hunt up the men who worked for Wyatt."

I find by reference to your report of the 17th of October last, to which you have called attention, that you say in regard to the trespass of Mr. Wyatt, of this last case Mr. McCord has no personal knowledge of the cutting, but is acquainted with the crew who worked for Hyatt [Wyatt] and assures me that the testimony can easily be found to establish the trespass. The logs in both cases are scattered along the Wisconsin within twenty to twenty-five miles of Jenny; as loggers term it, are hung up, or, in other words, are aground, the parties having tried to "drive them last spring, but failed for want of water." You state further that "the river is now rising from the recent rains, and it is believed that there will be sufficient water to float the logs, and that they may be expected in the booms within the next thirty days."

A copy of this report was transmitted to the honorable Secretary of the Interior on the 23d ultimo, and a request was made by the department of the honorable Attorney-General to have the United States district attorney for the western district of Wisconsin instructed to have proceedings instituted in these cases, and this office has been advised that such instructions were given.

In your report of the 28th October you make a statement in regard to these logs, and say as follows: "You will see from the foregoing that the logs on the Wisconsin River are not likely to reach the booms this fall, and nothing can be done until they do reach the booms."

In view of this statement it was not deemed necessary to give you any instruction in the premises at present, and I will state here that it will be impracticable for this office to give you instructions in regard to details. You are placed in the field with general instructions as to your duties, and are advised in regard to the laws and regulations which govern.

In this case, as well as in all others, where it is necessary to have legal proceedings instituted you will consult the proper United States district attorney, and take such steps in having surveys made or procuring testimony as he shall deem necessary, and as the legal officer representing the government in the prosecution of such suits it will be for him to determine in regard to the character of the testimony that will be required, and you will endeavor in all cases to obtain the same in accordance with his views.

In Minnesota, when a surveyor was deemed necessary, the surveyor-general was directed to appoint a deputy; but, as there is no surveyor-general in Wisconsin, if a survey is necessary, you will have to procure a competent person, and certify his account for services and expenses, as well as that of any assistants he may require, to this office.

It is not intended that any expense will be paid by this office that should properly be defrayed by the Department of Justice.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

JNO. W. JONES, Esq., *Saint Paul, Minn.*

INSTRUCTIONS TO E. F. HOOKER, AND TO CERTAIN REGISTERS AND RECEIVERS IN REGARD TO HIM.

[1 B to 9 B, inclusive.]

1 B.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE.
Washington, D. C., January 6, 1877.

SIR: Reposing special confidence in your honesty, judgment, and energy, you are hereby appointed special agent of this office to prevent waste and destruction of timber upon the public lands of the United States, both surveyed and unsurveyed, within the Territories of Wyoming, Utah, and Idaho.

1. In the discharge of your duties, you should be careful not to interfere with rights under the pre-emption and homestead laws; the settler, under these laws, with a view to cultivation, having the right to use or destroy trees in clearing roads and constructing bridges, or for any other purposes connected with the improvements of his homestead.

2. While thus liberal to the honest settler, you should be vigilant to detect and cause the arrest of the speculator, who, in the guise of a settler, and under the sanction of a declaratory statement, may contemplate the spoliation of timber.

3. Where the trespassers are unknown or known, and timber has been cut or removed off the public lands, you will cause it to be seized, and sold at auction to the highest bidder, under such regulations as sound discretion may suggest.

4. If the timber cut is beyond the reach of seizure by having been burnt into charcoal and shipped away, or so used as to be beyond your power to identify it, you may in such case compound with the parties who committed the trespass, if in your best judgment the government can probably collect more than by commencing suit for the recovery of the timber so taken, but no final settlement shall be made until after you have reported all the facts to this office and received instruction.

5. All moneys, the proceeds of the sale of timber, received by you, must be deposited in some one of the United States depositories to the credit of the Treasurer of the United States, and the original certificate of deposit, specifying on what account collected, sent to the Secretary of the Treasury.

6. In case of doubt as to your duty, you will report the facts to this office at once.

7. In returns to this office of sales of timber, you will be careful to designate the places of seizure, the quantity and kind of timber, whether in logs or manufactured, the price per foot per 1,000 or per cord, the names and residences of purchasers, and cause the same to be verified by a certificate from the persons assisting in making the seizure and sale. In Utah large tracts of land have been stripped of the timber, under pretense of grants made by the legislature of the "State of Deseret." You will inquire into these acts and report the facts to the United States district attorney for that Territory, and ask his aid to prevent further waste, and to collect the value of the timber heretofore taken, and you will in all cases, where action through the court is required, report the facts to the proper United States district attorney.

All registers and receivers in the Territories in which you are to act as agent will be advised of your appointment and instructed to co-operate with you.

You will be allowed six dollars per day when actually employed and traveling expenses.

You will be governed in your expenditures and in the rendition of your accounts by the inclosed circular from this department, dated July 1, 1874.

In case you see fit to accept the appointment hereby tendered you, you will at once notify this office, and enter upon the discharge of your duties, informing me of such preliminary steps as you may take with a view to a compliance with the foregoing instructions.

In any event you will please acknowledge receipt of this, and your determination to accept or not accept, at once.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

E. F. HOOKER, Esq., *Cheyenne, Wyo.*

You will take and subscribe and return to this office the inclosed oath.

J. A. WILLIAMSON.

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2 B.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 6, 1877.

GENTLEMEN: You are advised that E. F. Hooker, esq., has been appointed special agent of this office to prevent waste and destruction of

timber upon the public lands of the United States within the Territories of Wyoming, Utah, and Idaho, and you are instructed to co-operate with him.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Evanston, Wyo.*

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3 B.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 6, 1877.

GENTLEMEN: You are advised that E. F. Hooker, esq., has been appointed special agent of this office to prevent waste and destruction of timber upon the public lands of the United States within the Territories of Wyoming, Utah, and Idaho, and you are instructed to co-operate with him.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Boise City, Idaho.*

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4 B.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 6, 1877.

GENTLEMEN: You are advised that E. F. Hooker, esq., has been appointed special agent of this office to prevent waste and destruction of timber upon the public lands of the United States within the Territories of Wyoming, Utah, and Idaho, and you are instructed to co operate with him.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Lewiston, Idaho.*

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5 B.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 6, 1877.

GENTLEMEN: You are advised that E. F. Hooker, esq., has been appointed special agent of this office to prevent waste and destruction of timber upon the public lands of the United States within the Territories of Wyoming, Utah, and Idaho, and you are instructed to co-operate with him.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Beaver City, Utah.*

6 B.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 6, 1877.

GENTLEMEN: You are advised that E. F. Hooker, esq., has been appointed special agent of this office to prevent waste and destruction of timber upon the public lands of the United States within the Territories of Wyoming, Utah, and Idaho, and you are instructed to co-operate with him.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Salt Lake City, Utah.*

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7 B.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
January 8, 1877.

GENTLEMEN: You are advised that E. F. Hooker, esq., has been appointed special agent of this office to prevent waste and destruction of timber upon the public lands of the United States within the Territories of Wyoming, Utah, and Idaho, and you are instructed to co-operate with him.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Cheyenne, Wyo.*

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8 B.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 5, 1877.

[Telegram.]

E. F. HOOKER, *Des Moines, Iowa:*

Owing to lack of funds your services as special agent will be discontinued upon your receipt of this.

J. A. WILLIAMSON,
Commissioner.

Operator at Des Moines will please forward if Hooker has left there.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

9 B.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 5, 1877.

SIR: Your letter of the 30th ultimo has been received. I have to-day telegraphed you at Des Moines with request to forward if you had left there as follows:

"Owing to lack of funds your services as special agent will be discontinued upon your receipt of this." I have been compelled to this because, as stated, there is not sufficient money at my disposal to enable me to any longer pay you.

I have received your several letters and have noted your statements, but have not written you because the whole subject of trespass upon public timber, the laws involved, and the proper mode of procedure was submitted by me to the department on the 24th of January last, since which time I have been waiting a decision.

You will make out your account, heading it as per inclosed form, and state the number of days you have been employed, and also give in detail your traveling expenses, furnish vouchers, if you can, certify to the same on honor, and forward to me.

Respectfully, yours,

J. A. WILLIAMSON,
Commissioner.

E. F. HOOKER, Esq.,
Special Agent, Des Moines, Iowa.

INSTRUCTIONS TO E. A. PROTOIS.

[1 C to 33 C, inclusive.]

1 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 5, 1877.

[Telegram.]

E. A. PROTOIS, care of H. L. Skinner,
Des Moines, Iowa:

Proceed immediately to Saint Paul to detect timber trespass. Consult with Jones. Leave your papers with Edwards.

J. A. WILLIAMSON,
Commissioner.

Charge to General Land Office.

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2 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 6, 1877.

SIR: I telegraphed you yesterday at Des Moines, Iowa, care of H. L. Skinner, to proceed immediately to Saint Paul to detect timber tres-

passes, and to consult with Mr. Jones, who is there for the same purpose.

For your full information in regard to the action heretofore taken to suppress depredations upon public timber, for reference to existing laws, and for the government of your action, I inclose herewith a copy of a report from this office to the honorable Secretary of the Interior, dated January 24, 1877, and of the Secretary's reply thereto, dated April 5, 1877.

The Secretary's letter is so full and explicit in relation to your duties that I do not deem it necessary to add thereto, except to call your attention to section 1044 of the Revised Statutes of the United States, which is as follows, viz: "No person shall be prosecuted, tried, or punished for any offense not capital except as provided in section one thousand and forty-six, unless the indictment is found or the information is instituted within two years next after such offense is committed;" therefore, in any case where criminal prosecution is contemplated, the limitation must be kept in mind.

There is no limitation against the United States in civil actions to recover timber or the value of timber or money collected belonging to and withheld from the United States, but it should be borne in mind that as a rule recent acts are more easily proven than those which are remote.

The work you have before you is regarded of the highest importance, and you are expected to prosecute the same with your utmost vigor. Consult with Mr. Jones and co-operate with him. Report frequently.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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3 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 3, 1877.

SIR: I have received your letter of the 17th ultimo, and referring to the soldiers' additional homestead applications for tracts in the Mille Lacs reservation, to which you state that your attention has been called, I deem it advisable that you inquire into the facts connected therewith and report the result.

The grant to which you refer for the Saint Paul and Pacific Railroad (Brainerd Branch and Saint Vincent Extension) has not been legally declared forfeited for non-performance of the conditions, and hence the protection of the timber embraced therein is to be left to the State or its grantees. No circular has yet been issued by this office for giving effect to the instructions in the Secretary's letter of the 10th March last, relative to soldiers' additional homesteads. When issued, copies will be sent to the district offices as desired.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

4 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 5, 1877.

SIR: I have received your letter of the 27th ultimo, inclosing a memorandum of four cases of trespass upon the public lands committed during the winter of 1875 and 1876; also one case of recent date in Minnesota, the others being in Wisconsin. You advise that these cases be compromised, in view of considerations to which you refer. They will be submitted for the consideration of the head of the department, according to the Secretary's directions of the 5th ultimo touching cases of compromises proposed. You will be advised of the result.

You are authorized under your instructions to embrace in your investigations Wisconsin as well as Minnesota, and when advisable you may employ a competent surveyor to examine the lands and scale the timber cut, whose expenses and pay shall be returned as part of the actual and necessary expenses incurred in the investigation. In so doing you will keep in view the necessity of economy in using the limited appropriation applicable thereto.

In conclusion I suggest that, in reporting timber-cutting, you particularize as far as possible the legal subdivisions of land on which done. In all cases *desirable*, this may be *necessary* if legal proceedings, especially criminal prosecution, against parties should be determined upon. For example, in one of the cases embraced in the memorandum above referred to, the land is described as "Sec. 31 and 32, tp. 38, R. 17." On examination of our records it appears that only a small portion of said sections is public land, the remainder having been disposed of prior to the cutting. It is thus left a matter of question, so far as your memorandum shows, whether the timber was cut on that portion of said sections which was public land, or that portion which was private property—a point material to the case.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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5 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 7, 1877.

SIR: I inclose herewith for your information a copy of a letter from the Attorney-General of the United States to the Secretary of the Interior, dated the 1st instant, referred by the latter to this office, indicating the action taken by the Attorney-General in regard to certain trespasses on the public lands which formed the subject of the documents therein referred to. These consist of a copy which was furnished by this office of Mr. Jones's letter of the 4th ultimo, and of the schedule which accompanied the same, marked Exhibit D, together with a written statement from the official records as to the condition of the title to the tracts therein described. The statements of timber-depredations which, as Exhibits A and B, accompanied Mr. Nash's letter to

this office, dated the 22d February last, are undergoing examination in connection with the official plats and records, and when this is completed a report will be made to the head of the department, submitting the subject for the proper action thereon.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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6 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 9, 1877.

[Telegram.]

E. A. PROTOIS, *Saint Paul, Minn.:*

In timber-depredations reported 27th ultimo, cases Dinsmore & Matthews, John Stewart, Ahl Brothers, Magneson & Benson, John Hanley, numbered 1, 2, 3, 4, 5 in memorandum, consult with district attorney and have timber seized immediately.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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7 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE.
Washington, D. C., May 10, 1877.

[Telegram.]

E. A. PROTOIS, *Saint Paul, Minn.:*

Before seizing timber, as per telegram of yesterday, make demand on parties for same.

Ascertain and report by mail full names of trespassers, also of parties now holding timber, quality of timber, its market-value where situate, and whether parties now holding aided or assisted in cutting by furnishing money or otherwise, or had knowledge when they purchased that it had been cut from public lands.

J. A. WILLIAMSON,
Commissioner.

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8 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 23, 1877.

SIR: I inclose herewith for your information a copy of a letter from the honorable Attorney-General to the Secretary of the Interior, dated the 19th instant, showing the action taken in the matter of timber-dep-

redations in Minnesota, being the same which formed the subject of the letter of C. W. Nash, esq., to this office, dated the 22d of February last, and the two statements marked as Exhibit A and Exhibit B, which accompanied the same.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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9 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 29, 1877.

SIR: The inclosed descriptive-list of lands comprises tracts embraced in certain additional homestead entries in Duluth and Saint Cloud districts, Minnesota, which were found to be fraudulent, and have been therefore canceled by this office. It is inclosed to you with the view that, when existing engagements admit of it, you extend your investigations so as to include these tracts, and report the result; it being regarded as probable that timber has been removed therefrom under cover of the fraudulent entries referred to.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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10 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 18, 1877.

SIR: I have received your letter of the 31st ultimo, stating that you have employed H. A. Newberry and Robert Downent, of Taylor's Falls, Minn., as competent and proper persons to examine and report what timber has been cut upon the public lands during the past season within the Saint Croix and Bayfield (Wisconsin) districts, at a compensation of $3 per day for each working-day and their actual expenses. I approve your action, but with the understanding that you will carefully observe their operations, and if in a short time they are not productive of profitable results, discontinue their employment.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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11 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 18, 1877.

SIR: I have received your letter of the 1st instant, submitting for approval a form which you propose should be used in reporting cases of

timber-trespass. I approve the form, and you are authorized to have a suitable number printed for use.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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12 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 18, 1877.

SIR: I return herewith the letter which accompanied yours to this office of the 6th instant, addressed to you by J. B. Bottineau, dated at Minneapolis, Minn., the 4th instant, and have to state, after considering the contents of your letter, that I do not regard it as advisable to employ Mr. Bottineau, especially in view of the limited appropriation applicable to the payment of expenses and the consequent necessity of economy.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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13 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 18, 1877.

SIR: I have received your letter of the 31st ultimo, reporting a case of trespass committed in 1874 by one James McDermott, of Stillwater, Minn., upon sections 6 and 12, township 40, range 23, Minnesota, if I read your description aright. But I find, on examination, that no part of said sections was public land in 1874, the whole of each having been previously disposed of. Please explain if there is any mistake as regards the description of the land or otherwise.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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14 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 25, 1877.

SIR: In compliance with your request of the 14th instant, I send herewith copies of your letters received at this office dated at Saint Paul,

Minn., one on each of the 15th, 17th, 27th, and 30th days of April, two on the 26th and one on the 31st of May, and one on the 1st and one on the 6th of June, 1877.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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15 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 30, 1877.

SIR: In reply to your letter of the 25th instant, I have to state that the lands embraced within the For tRipley military reservation are still under the jurisdiction of the War Department, which was authorized to dispose of a portion thereof no longer required for military purposes by act of Congress of February 28, 1873, vol. 17, page 481.

To that department it properly belongs to investigate any alleged timber-trespasses on lands embraced in the reservation.

Very respectfully, U. J. BAXTER,
Acting Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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16 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 28, 1877.

GENTLEMEN: I have received a letter of yesterday's date from the honorable Secretary of the Interior, with which he inclosed a letter addressed to him on the 16th instant by the acting Attorney-General, and one of the 11th instant from the United States attorney for Minnesota to the Attorney-General, in relation to logs cut on public land which have been seized by the United States, as also a copy of a letter of yesterday from the Secretary to the Attorney-General on the same subject.

I inclose herewith transcripts of the papers referred to for your information.

Very respectfully, J. A. WILLIAMSON.
Commissioner.

E. A. PROTOIS and JOHN W. JONES, Esqrs.,
Saint Paul, Minn.

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17 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 24, 1877.

[Telegram.]

E. A. PROTOIS, *Saint Paul, Minn.:*

Surveyor-general instructed to appoint deputy for service under United States attorney. J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

18 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 29, 1877.

SIR: I have received your two letters of the 24th instant, one transmitting memorandum of trespasses upon the public lands in the Taylor's Falls district, Minnesota, during the last winter, and in regard to which you say: "The testimony necessary to sustain the act of trespass will be handed to the United States district attorney at the proper time;" the other, inclosing copy of a letter from one F. J. Hill, who states that stumpage, at the rate of fifty cents a cord, was collected last winter by E. M. Brown, esq., receiver at Bismarck, Dak., for several hundred cords of wood cut on the west side of the Missouri River. If Mr. Brown has collected for cord-wood, as alleged, he has made no return of the same to this office.

You will therefore proceed to that locality, or send some one, and have an investigation made, ascertaining whether the charges made by Mr. Hill are correct.

Obtain the names of witnesses, &c., and make a full report to this office.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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19 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 3, 1877.

SIR: I have received your letter of the 28th ultimo, in which you state that you have partly completed investigating some cases of trespass which were brought to your notice by a person introduced to you by Maj. J. P. McIlrath, committed between the years 1868 and 1872, amounting to about ten million feet, board-measure, upon which stumpage was never collected, or, if collected, was never accounted for to the government, and that some of the trespass was on unsurveyed lands.

Some of the lands had been covered by scrip-locations pending the time the timber was cut and removed, the scrip taken up and then relocated upon other lands; that the unsurveyed lands have since been surveyed, and you request to be informed whether in reporting such cases it will be necessary now to locate said trespass by subdivision of sections.

In reply, you are directed to consult the United States district attorney upon this subject, as this is a question relative to character of evidence required, which it is proper for him to determine. In regard to this, and in all other matters in collecting testimony, you will be governed by his views in the premises.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

20 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 3, 1877.

SIR: I have received your letter of the 30th ultimo, stating that since suits have been instituted against trespassers many of them have come to you, and also to Mr. Billson, with propositions to settle for the timber cut, so as to avoid appearing in court, and that you deem it advisable that instructions be given to enable you and Mr. Billson to meet any proposition of settlement.

In reply, I inclose herewith, for your information and for the government of your action, a copy of communication upon this subject, addressed by the honorable Secretary of the Interior to the honorable Attorney-General, under date of the 29th ultimo, in which you will observe the honorable Secretary states that he will withhold his approval from "every compromise which would permit the logs seized to pass into the possession of the depredators with any chance of profit," and that he desires to make those who hitherto have carried on these depredations with profit understand that, in attempting to steal timber from the public lands, they will, in any event, lose the value of their labor and their expenses, and expose themselves to criminal prosecutions.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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21 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 6, 1877.

SIR: I have to acknowledge the receipt of your letter of the 31st ultimo, relative to eight cases of trespass on government lands in Minnesota.

In reply, I would state that an examination of the accounts of Chester D. Davison and C. T. Brown, surveyors-general of Minnesota, shows that stumpage had been collected and accounted for in the following cases:

July 6, 1870. John Stewart, upon 50,000 feet, at $2.50 per M.
October 19, 1871. John Stewart, upon 71,250 feet, at $2.50 per M.
July 9, 1871. Short & Newton, upon 22,000 feet, at $2.50 per M.
October 26, 1871. E. M. Thompson, upon 69,700 feet, at $2.50 per M.
July 20, 1871. Andrew M. Seed, upon 36,400 feet, at $2.50 per M.
September 6, 1871. Bradley & Dahl, upon 19,000 feet, at $2.50 per M.

These accounts are on file in the Treasury Department, and the above is all that can be found relative to the cases you mention.

Respectfully,

J. A. WILLIAMSON.
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

22 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 6, 1877.

SIR: I have received your letter of the 1st instant relative to the charges made by Mr. F. J. Hill, of Bismarck, Dak., against the receiver of that land-district, and also relative to the papers and records on file in the surveyor-general's office relating to trespass on the government lands.

Upon consideration of the latter subject, while I can readily see that it would be more convenient for you to have possession of this evidence, yet, as they form a part of the regular records and files of that office, I do not feel that it is proper that they should be removed.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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23 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 13, 1877.

SIR: In order to insure efficiency in action, I think it best that you should confine your efforts strictly to the collection of testimony to sustain the suits brought, or to enable the institution of others, and it will be better for you to give attention specially to particular cases until they are finished.

Respectfully,

U. J. BAXTER,
Acting Commissioner.

E. A. PROTOIS, Esq.,
Special Agent General Land Office, Saint Paul, Minn.

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24 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 15, 1877.

[Telegram.]

Col. E. A. PROTOIS, *Saint Paul, Minn.:*

Colonel Finley has no official authority from this department. Any available information in his possession may be properly received by you in the conduct of your investigation.

By order of the Secretary:

U. J. BAXTER,
Acting Commissioner.

Charge General Land Office.

25 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 19, 1877.

SIR: For your information, and in reply to your letters of August 17 and September 14, 1877, I send you herewith inclosed a copy of a letter of this date from this office to the honorable Secretary of the Interior relative to the matter of the investigation of frauds and forgeries connected with the issue of scrip to half-breeds of the Red Lake and Pembina bands of the Chippewa Indians, and the sale of timber by the Northern Pacific Railroad Company, from lands not selected by said company.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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26 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 19, 1877.

SIR: Your letter of the 14th instant, transmitting an abstract of twenty-two cases of trespass committed upon the public lands, has been received. It is presumed that these and all other cases which have come to your knowledge have been reported to the United States district attorney. If not, you will report them. Please advise this office upon the subject.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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27 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 29, 1877.

SIR: Mr. W. W. Lyon, who is one of the commissioners appointed by the President to look after Indian affairs, has returned from a visit to the Red Lake agency, in Minnesota, and reports that the following language was used by a chief at a council held on July 27:

"The whites are encroaching upon my reservation; they are stealing my timber. We want the boundary-line marked so that the whites as well as ourselves shall know where it is."

You are instructed, during your investigations, to have attention given to the locality referred to, and have the facts reported to the United States district attorney and to this office.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

28 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 29, 1877.

SIR: You are hereby instructed to make up a statement of all the suits that have been instituted, either civil or criminal, in Minnesota, relative to timber cut from public lands, giving name of parties in each case, and all other available information, and transmit the same to this office.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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29 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 1, 1877.

SIR: In reply to your private letter asking permission to come to Washington, I have to say that after a consultation with the Assistant Attorney-General, it has been thought best for you to remain in Saint Paul until the close of the approaching term of court. You can come immediately after our cases are disposed of.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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30 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington D. C., October 10, 1877.

SIR: In letter of the 2d instant to the honorable Attorney-General, United States District Attorney Billson, in speaking of the timber-suits says, "The cases are all in good condition as regards evidence, and I see no probability of failure in any of our civil suits."

If all the evidence necessary has been collected all persons employed, except Mr. Jones, will be discharged, and you and Mr. E. A. Duncan return to Washington.

You will consult the United States district attorney before taking this action, and if there is further work to be done, see whether the services of Mr. Jones will not be sufficient.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

31 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 18, 1877.

E. A. PROTOIS, *Bismarck, Dak.:*

Give United States district attorney all matters that should be prosecuted in Dakota Territory.

Your letter of 14th received. Report your action.

J. A. WILLIAMSON.

Charge General Land Office.

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32 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 19, 1877.

SIR: In reply to your communication of the 7th instant, relative to one H. S. Back, of Fargo, Dak., representing himself as a United States timber-agent, &c., I have to state that the records of this office show that said Back was appointed a deputy timber-agent by the register and receiver at Fargo, Dak., April 15, 1875, for thirty days. His appointment was renewed and he continued in that office till July 15, 1875, from which date he has had no official connection with said office.

The records also show that the register and receiver, Fargo, Dak., in their return for second quarter 1875, have accounted for $200 stumpage, but fail to state from whom said amount was received.

This is all the records show on the subject.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. A. PROTOIS, Esq., *Saint Paul, Minn.*

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33 C.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 19, 1877.

E. A. PROTOIS, *Bismarck, Dak.:*

Come directly to Washington. Let Jones go to Red Lake agency and Bayfield.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

MISCELLANEOUS LETTERS, INSTRUCTIONS, &c.

[1 to 100 D, inclusive.]

1 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 25, 1876.

GENTLEMEN: I have received your letter of the 28th ultimo, recommending that the appointment of Mr. F. E. Warren as your deputy timber-agent, under the tenth section of the circular of December 24, 1855, be extended for a further period of ninety days.

In view of the reasons therefor suggested in your letter, and the affidavits which you forwarded to the same effect, I concur in your recommendation; and Mr. Warren's appointment is hereby extended accordingly.

Instructions heretofore given, which permit the compromise of cases of timber-trespass under certain circumstances, are hereby so modified, after consultation with the honorable Secretary of the Interior, that you will enter into no compromise hereafter without first submitting the matter to this office and obtaining its approval of the proposed settlement.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *San Francisco, Cal.*

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2 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 29, 1876.

GENTLEMEN: I have received your letter of the 21st instant, relative to a sale made by your deputy timber-agent of certain logs cut from public lands in Delta County, in your land-district, which was disaffirmed by you, as having been brought about at a merely nominal sum by means of a conspiracy.

In reply, I have to state that your proceedings in the matter, as reported in your letter, appear to have been correct, and are approved by this office.

Report future proceedings.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Marquette, Mich.*

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3 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 31, 1876.

GENTLEMEN: The register's letter of the 17th instant has come to hand, in which he states that he wrote to this office "in March last," ask-

ing that he might be instructed with regard to the public timber in your district, and that he had received no reply to his communication. On examination, it does not appear that any letter from him of the character referred to, written "in March last," was received at this office. From his using the loose expression "in March last," instead of giving the date of the letter, which he should have given, I infer that he is mistaken in the matter, and regarding his alleged letter, that as it was not received here, so it was not sent by him.

I refer you to the circular of December 24, 1855, copy herewith, as containing instructions for your guidance as timber-agents. The restrictions and limitations of that circular are to be strictly observed. The fourth section thereof forbids you to make any compromise of spoliations committed on the public timber. In cases, however, which you think should be compromised, in view of special circumstances of an exceptional nature, you will submit the matter to this office, and await its decision therein.

Instructions heretofore given, allowing compromises of such cases to be made without the approval of this office being first obtained, are revoked.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Cheyenne, Wyo.*

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4 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND-OFFICE,
Washington, D. C., August 8, 1876.

SIR: In reply to your letter of the 29th ultimo, I have to direct that you report to this office on receipt hereof any cases of timber-trespass which were pending in your office when my letter of the 21st ultimo, relieving you of the duty of timber-agent for the State of Minnesota, was received.

You will briefly indicate in your report the condition of each case, and what action remains to be taken for the settlement thereof. In any case which you think should be settled by compromise with the trespassers, you will report the facts, with the terms of compromise contemplated.

You will await instructions before proceeding further in any of the cases above referred to. In any cases which may have come to your knowledge since my letter before mentioned was received, or to which your attention may hereafter be called, you will communicate the facts to the register and receiver of the proper district land-office, for their action thereon, as timber-agents, under the circular of December 24, 1855.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

Hon. J. H. BAKER,
Surveyor-General, Saint Paul, Minn.

5 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 10, 1876.

GENTLEMEN: In reply to your letter of the 29th ultimo, I have to refer you to the circular of December 24, 1855, for general instructions regarding your duties as timber-agents.

When cases arise on which you desire special instructions, you will report the facts therein, indicating the points of doubt on which you desire to be informed.

In answer to your inquiry, I have to state that it is not intended that you should in any case leave your office and go to the woods for the protection of the timber, but, where necessary, you are to employ deputies for the purpose, subject to the restrictions and limitations contained in said circular.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Taylor's Falls, Minn.*

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6 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 30, 1876.

GENTLEMEN: I have received your letter of the 14th instant, reporting that you have employed Mr. Ira W. La Munyou as your deputy in certain cases of alleged timber depredations in your land-district, for a period not to exceed fifteen days, under the circular of December 24, 1855, tenth section. Your action in so doing is approved.

Instructions heretofore given which permit the compromising of timber-trespasses under certain circumstances, are hereby so modified, after consultation with the Hon. Secretary of the Interior, that hereafter you will enter into no compromise until after submitting the case to this office and obtaining its approval of the compromise proposed.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *North Platte, Neb.*

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7 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
November 22, 1876.

SIR: Your letter dated the 22d of August last, inclosing a report of such cases of timber-trespass as were pending before you as acting timber-agent, at the time when you received my letter of the 21st of July last, by which you were informed that the duties of agent were restored to the registers and receivers of the several district land-offices in Min-

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1861, now section 2255 of the Revised Statutes, which applies only to the case of consolidated land-offices, and not to the Cheyenne land-office.

The item referred to being for money paid for *office rent* cannot therefore be placed to your credit, in the adjustment of your account, and it is hereby disallowed.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

GEO. W. COREY, Esq.,
Late Receiver of Public Moneys, Cheyenne, Wyo.

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9 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 25, 1877.

GENTLEMEN: In reply to your letter of the 18th instant I refer you to mine to you of the 21st July last, and the circular of December 24, 1855, a copy of which was inclosed therewith, devolving upon you the duties of timber-agents within the limits of your land-district.

The surveyor-general of Minnesota has no longer any authority to act as timber-agent, having been relieved of that duty by my letter to him of the 21st July last, with a copy of which you have been furnished. He is, however, authorized and instructed to settle up certain specified cases of timber-trespass which were pending before him and unsettled on the 28th of July last, the date of the receipt by him of the letter of the 21st July last, relieving him of the duties of timber-agent. I inclose herewith for your information a copy of my letter to him of the 22d instant in reference to this unfinished business.

I call your attention particularly to the 10th section of said circular, under which you are authorized, upon any pressing emergency, to appoint a deputy to investigate and report the facts in any supposed case of trespass, but with this qualification, that in making any such appointment you shall report the fact *instanter*, and the necessity for it to this office, and that where the emergency is not pressing you shall refer the facts to this office for consideration, and await instructions before making any such appointment. These instructions must be fully observed by you, and no "arrangements" made or expenses incurred save as expressly provided for in your instructions from this office.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Duluth, Minn.*

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10 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 28, 1876.

GENTLEMEN: Your letter of the 17th ultimo, inclosing a statement of George H. Warren, pertaining to his claim for compensation for serv-

ices rendered and expenses incurred as your deputy timber agent, was duly received.

In the bill presented by Mr. Warren, among other items were the following, viz: "For services of one assistant for 73 days, at $2 per day, $146; for supplies and board for myself and assistant 13 days, at $1.50 per day for each, $219; for my railroad and stage fares for myself and assistant going from Minneapolis to Moore River and return, as per itemized account, $23.35;" amounting together to $388.35.

As per my letter to you of the 5th of August last, Mr. Warren was required to produce as a voucher the receipt of the party who was employed as his assistant for the amount alleged to have been paid for his services, the same to be verified by his oath. This he has not done for the reason, as alleged in his statement above referred to, that "those whom he employed to assist him," and "whose aggregate time is as stated" in his bill, "are in the woods, beyond the confines of village or town corporations, so that to reach them will take much time and money," making for him "an expense nearly equal to" his "claim for such assistance."

The items as presented by Mr. Warren's bill were for the services and expenses of *one* assistant. Hence he was required to produce as a voucher the receipt of that one. From the statement now made it would appear that he employed more than one. As the case stands, these items of his bill cannot be admitted; but he will be allowed further time in which to make under oath a full showing of the particulars as to the persons whom he employed as assistants, the periods of time during which they were respectively employed, and the amount paid to each for his services, the same to be accompanied by the sworn acknowledgment by each of his receipt of the money, or in regard to each case where this cannot be obtained to give a satisfactory reason therefor.

You will call on him to submit the required papers to you, and on his doing so forward the same to this office, with your joint opinion, when the matter will be further considered.

In connection with this case, I have to direct that you make a report without delay to show your action in regard to the timber reported by Mr. Warren as having been taken from the public lands in your district, and the results attained in the way of arrests made and prosecutions instituted against the depredators, or of money received and paid into the Treasury on account of timber seized and sold, or as stumpage paid therefor in cases of compromise.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Bayfield, Wis.*

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11 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 29, 1876.

SIR: I have had under consideration certain bills forwarded with your letter of the 1st of July last, of parties claiming compensation for services rendered and expenses incurred by them as deputy timber agents during the year ending with the 30th June last, viz, James H. Spencer, claiming $550.20; Charles E. Thurston, claiming $811; Charles

A. Ruffee, claiming $222.95, and F. E. Snow, claiming $59.85, making a total of $1,644.

These claims are on account of services rendered and expenses incurred for a period going back as far as August, 1875.

The only authority which you had as timber agent to employ deputies or incur expenses is that given in the tenth section of the circular of December 24, 1855, and is subject to restrictions and limitations as therein expressed, one object of which is that the subject may be kept under the control of the department, so as to enable it to keep expenditures within the limits of the small appropriation available for their payment, which for the last fiscal year is but $5,000 for the whole county. This circular, with its restrictions, was constantly before you, and attention was specially called thereto in a letter to your predecessor of January 21, 1875, as well as in other correspondence, which should be on your files. Yet, I find that none of the deputies now claiming compensation, as above, were appointed according to the requirements of that circular; that none of the expenses for which reimbursement is sought were incurred under authority of this office, which, in fact, was not informed of the employment of these deputies, or of their operations as such, until the bills were sent up. Moreover, the claims presented are not accompanied by any vouchers for the expenditures alleged to have been made, nor with any evidence to show that the outlay was necessary.

The proceedings upon which these claims are founded were altogether irregular, and without any binding force upon the United States. Yet I am willing, on a satisfactory showing being made, to allow compensation for services actually rendered and for necessary expenses actually incurred in good faith in protecting the public timber, to the extent to which the existing appropriation may be found adequate, the more especially as it appears that the money realized to the Treasury thereby considerably exceeds the amount claimed.

I return herewith the statements forwarded by you of the claims referred to. You will require the claimants to submit each a statement under oath to set forth the time during which he was actually employed, the circumstances under which the alleged expenses were incurred and which rendered the outlay necessary, and that he has never received any compensation for services rendered and expenses incurred, the same to be accompanied by the sworn acknowledgments of the parties to whom the money was paid of the receipt thereof as the vouchers therefor, or, where these cannot be produced, a satisfactory reason therefor to be given in the statement under oath. On their doing so you will forward the papers to this office, with your opinion thereon, when the matter will be further considered.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

Hon. J. H. BAKER,
Surveyor-General, Saint Paul, Minn.

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12 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 1, 1876.

GENTLEMEN: I request that you forward, on receipt hereof, a copy of your letter to this office of the 22d July last, referred to in yours of the

5th August. The original of the former does not appear to have been received here. Also forward C. D. No. 2260, and the accounts of S. W. Beall and W. Byron Daniels, mentioned in your said letter of the 5th August last, as inclosed herewith. They were not received with it.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Vancouver, Wash.*

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13 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 29, 1876.

GENTLEMEN: On receipt hereof you will report proceedings in the matter of certain logs removed from the public lands in Delta County, Michigan, which formed the subject of your letter of the 21st July last, and mine to you in reply of the 29th of the same month.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Marquette, Mich.*

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14 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 1, 1876.

SIR: I return herewith the bill of Eli W. Griffin, forwarded with your letter of 22d August last, for $407.10, claimed as compensation for services rendered and expenses incurred by him as deputy timber agent. I refer you to my letter to you of the 29th ultimo as containing instructions relative to similar claims which are equally applicable to this case, and by which you will be governed in dealing therewith.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

Hon. J. H. BAKER,
Surveyor-General, Saint Paul, Minn.

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15 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 2, 1876.

GENTLEMEN: Your letter of the 11th September last was received, with the accompanying report of Ira W. La Munyon, your deputy timber agent, dated the 31st August previous.

You state the case of a "bridge, shanty, and stable" alleged to have been built for the use and accommodation of certain parties while committing timber depredations on the public lands, and inquire whether or not you would be justified in the seizure and sale thereof. I answer that you would not. Such property does not come under the description of "timber" directed to be seized and sold in the 8th section of the circular of December 24, 1855, but the suspected parties should be reported by you to the proper authorities for prosecution according to law, as indicated in the 4th section thereof.

In regard to certain ties and poles which it is alleged were cut on the east half of northeast quarter, section 27, township 18, of range 23 west, a tract covered by a soldier's homestead entry, to which no legal objection appears, but the greater portion of which you are of opinion was cut on other public land yet vacant, I have to state that if you have satisfactory proof that a portion of the timber was taken from vacant public land, and the trespassers have so mingled that portion with timber of their own that you cannot distinguish the one from the other, you would be justified in treating the whole as public property and disposing of it accordingly, yet it would be well to act with caution in any such case, and only on proof quite satisfactory.

In the case of Thomas Stephenson, regarding certain poles cut from the public lands, which he claims to have innocently purchased from the parties who did the cutting, you will exercise your best judgment, and if satisfied that Stephenson acted in good faith in making the purchase, you will release the poles, on his paying a reasonable stumpage, not less than the established minimum for the timber, and all expenses incurred, the guilty parties to be reported for prosecution as already indicated.

You are referred to the 10th section of said circular in regard to reporting an account for payment.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *North Platte, Nebr.*

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16 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 2, 1876.

SIR: I have to acknowledge the receipt, by reference from the Hon. T. W. Ferry, of your letter of the 25th August last, in which you deal with the subject of one from this office to him of the 29th July last, in reply to a former communication which you addressed to him and he referred to this office.

I have carefully considered the suggestions presented by you, but find therein no sufficient reason to change the views expressed on the subject with which you have been made acquainted.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

CHARLES T. SAWYER, Esq.,
Ludington, Mason County, Mich.

17 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 4, 1876.

GENTLEMEN: Referring to your letters of the 23d September, the 5th October, and the 16th October last, relative to your seizure of certain timber taken from the public lands and claimed by Daniel H. Wells, I request that you report promptly on receipt hereof a full statement of your proceedings as timber agents in this case, and any other which may have come before you, showing in detail what you have done and what liabilities incurred. Await instructions before instituting any new proceedings as timber agents.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Salt Lake City, Utah.*

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18 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 4, 1876.

SIR: In reply to your letter of the 23d October last, I inclose herewith, for your information, a copy of one addressed by this office to the surveyor-general at Saint Paul, Minn., under date of the 29th ultimo, together with a copy of the circular of December 24, 1855, therein mentioned.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

C. A. RUFFEE, Esq.,
Brainerd, Crow Wing County, Minn.

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19 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 5, 1876.

SIR: In reply to your letter of the 14th October last, I have to state that actual settlers on the public lands, under the pre-emption and homestead laws, are entitled to use the timber for domestic purposes, as for clearing, building, fencing, fuel, &c., but not for sale or speculation until, if pre-emptors, they prove up and pay for the land, or, if homestead claimants, they prove settlement and cultivation for the prescribed period and obtain their final certificates according to law.

I inclose a copy of timber circular of December 24, 1855.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

C. C. NEWTON, Esq.,
Daviesville, Gosper County, Nebr.

20 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 5, 1876.

SIR: In reply to your letter of the 24th September last, I inclose herewith a copy of the official circular of December 24, 1855, on the subject of timber depredations on the public lands of the United States.

The cutting or removing of timber therefrom without authority is a criminal offense, punishable with fine and imprisonment, under the act of Congress of March 2, 1831 (now section 2461 of the Revised Statutes of the United States), and, like any other criminal offense, should be prosecuted, and the offender brought to punishment by the proper authorities. If you know of this offense having been committed, you may go before a United States commissioner or justice of the peace and make oath to the facts, when he would take the proper steps to have the offender arrested, and, if the evidence should be sufficient, held to answer as usual in criminal cases.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

Mr. J. D. CARPENTER,
Molino, Escambia County, Florida.

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21 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 5, 1876.

GENTLEMEN: Referring to your letter of the 29th September last, I send herewith a copy of the timber-circular of December 24, 1855, as containing general instructions in regard to timber depredations on the public lands in your district, and your duties in connection therewith. You will keep this office fully advised of any action you may take thereunder.

You will proceed with caution in actual cases, and where you are in doubt as to your proper course, will, before deciding, seek specific instructions thereon from this office.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Beaver City, Utah.*

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22 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 5, 1876.

SIR: In reply to your letter of the 26th October last, addressed to the President of the United States, which has been referred to this

office for answer, I have to state that the registers and receivers of the several district land-offices are charged with the duty of acting in an especial manner as guardians of the public timber in their respective districts, under the circular of December 24, 1855, copy herewith.

If you know of depredations being committed on the public timber, you should communicate the facts to the register and receiver of the proper district land-office for action thereon under the instructions contained in that circular. Or you may pursue another course. Section 2461 of the Revised Statutes of the United States makes it a criminal offense punishable with fine and imprisonment for any one without authority to cut and remove timber from the public lands. This, like any other criminal offense, should be prosecuted by the proper authorities to the end of punishment and ultimate repression. If you are aware of any cases of this offense, it is in your power to go before a United States commissioner or justice of the peace and make oath to the facts. It would thereupon be the duty of such officer to take the proper steps to have the offenders arrested and held to answer as usual in criminal cases. In this way you may bring the law to bear against offenders without waiting for the district land-officers to take the initiative.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

J. W. STEVENS, Esq.,
Kernville, Kern County, California.

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23 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 5, 1876.

SIR: In reply to your letter of the 4th ultimo, I have to state that the registers and receivers of the several district land-offices are *ex-officio* agents for the protection of the timber on the public lands within their respective districts, having authority, with certain restrictions, to employ deputies, under the circular of December 24, 1855, copy herewith.

The region of country to which you refer appears in part to be within the Territory of Wyoming, and in part within the Territory of Utah, the former part embraced in the district of lands for which the district office is situated at Cheyenne, and the latter in the district for which the office is at Salt Lake City. If you know of depredations being committed on the timber, you would confer a public benefit by communicating the facts to the proper district land-officers, and to them any one desiring to be employed as deputy timber agent may make application therefor.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOHN FREEMAN, Esq., *Salt Lake City, Utah.*

24 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 6, 1876.

SIR: In reply to your letter of the 24th ultimo, I inclose herewith a copy of the official circular of December 24, 1855, on the subject of timber depredations on the public lands of the United States. The cutting or removing timber from the public lands without authority is a criminal offense, punishable with fine and imprisonment, under the act of Congress of March 2, 1831 (now section 2461 of the Revised Statutes of the United States), and like any other criminal offense, should be prosecuted and the offender brought to punishment by the proper authorities.

If you know of this offense having been committed, you may go to United States commissioner or justice of the peace, and make oath to the facts, when he would take the proper steps to have the offender arrested, and if the evidence should be sufficient, held to answer as usual in criminal cases; or you may communicate the facts to the register and receiver of the proper district land-office, the district land-officers being in an especial manner charged with the protection of the public timber in their respective districts, as indicated in the circular above mentioned.

To the register and receiver of the district land-office at Jackson, Miss., you are respectfully referred for information as to the condition of the lands mentioned by you. Their books and records should show the exact condition up to date of every tract of public land in the State of Mississippi, and in case of doubt in regard to any tract, it is their duty to correspond with this office on the subject.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

CHARLES A. CLARK, Esq.,
Scranton, Jackson County, Mississippi.

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25 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 6, 1876.

GENTLEMEN: In reply to your letter of the 18th ultimo, relative to the account of your late deputy timber agent, Washington Rogers, esq., I have the honor to request that you forward, on receipt hereof, a full statement of the results attained by the services of Mr. Rogers, in the way of arrests made and prosecutions instituted against timber depredators or of moneys received and deposited on account of timber sold, or stumpage in compromised cases.

On such statement being received, Mr. Rogers's account will be taken up and acted upon.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Gainesville, Fla.*

26 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 6, 1876.

GENTLEMEN: Referring to your letter of the 23d October last, reporting that a replevin suit had been instituted against your deputy timber agent, Victor E. Tull, esq., I have to state that under date of the 4th instant I requested the head of the department to take the proper steps without loss of time to have the United States attorney authorized to defend the action, as desired by you, and in compliance with your request I herewith send you the papers which you inclosed.

Please keep this office fully advised of the progress of the case and of all your proceedings as timber agents.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Olympia, Wash.*

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27 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 7, 1876.

GENTLEMEN: I inclose herewith the bills of Charles R. Matthews and W. F. Wright for services rendered and expenses incurred in seizing and selling certain timber cut from public land in township 19 north, of range 21 west, forwarded with your letter of the 23d ultimo.

They should be verified by the oaths of the parties and returned. See 10th section circular of December 24, 1855.

Very respectfully,
J. A. WILLIAMSON,
Commissioner.

REGISTER and RECIVER, *North Platte, Nebr.*

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28 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 7, 1876.

GENTLEMEN: In reply to your letter of the 23d ultimo, in reference to the case of the south half of southeast quarter of section 31, township 120, of range 40, I have to state that Mrs. Gruber Johnson's application to file a pre-emption declaration for said tract, which is embraced within the limits of the withdrawal for the Saint Paul and Pacific Railroad Company, was denied per letter from this office of the 26th July, 1876, F, to which you refer, and no special authority can be given to her to take timber therefrom for any purpose. The protection of the timber on the odd-numbered or granted sections should be left to the railroad company.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Benson, Minn.*

29 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 20, 1876.

GENTLEMEN: In reply to your letter of the 14th ultimo, I have to state that the case to which you refer of timber trespass alleged to have been committed on the southwest quarter of southwest quarter of section 31, township 3 north, range 30 east, appears to come under your instructions as timber agents, per circular of December 24, 1855; that you may, in pursuance thereof, employ a deputy to investigate and report the facts therein, as provided for in the tenth section of that circular. You will keep this office fully advised of your proceedings in the case, reporting results.

This office is disposed to deal liberally with actual settlers on the public lands. Where you find that any such have taken timber from the public lands, intending in good faith to apply it for the improvement of their homes and not for sale or speculation, under circumstances such as you describe, rendering it necessary for them either to do so or to abandon their homes for want of material for necessary improvements, you will refrain from any proceedings against them on account of the timber taken. You will proceed with care, using your best discretion in all cases, and where you are in doubt as to your duty, seek instructions from this office before acting.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Le Grande, Oreg.*

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30 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE.
Washington, D. C., December 21, 1876.

GENTLEMEN: In reply to your letter of the 8th instant, I refer you to mine to you of the 21st July last, and the circular of December 24, 1855, a copy of which was inclosed therewith, devolving upon you the duties of timber agents within the limits of your land-district.

The surveyor-general of Minnesota is authorized and instructed to settle up certain cases of timber trespass which were pending before him and unsettled on the 28th July last, the date of the receipt by him of the letter from this office which relieved him of the duties of timber agent. I inclose herewith for your information a copy of his report, showing what cases these are, under date of the 22d August last.

I call your attention particularly to the tenth section of the circular mentioned, under which you are authorized upon any pressing emergency toe mploy a deputy to investigate and report the facts in any supposed case of trespass, but with this qualification, that in making any such appointment you shall report the fact *instanter*, and the necessity for it, to the office; and that where the emergency is not pressing you shall refer the facts to this office for consideration, and await instructions before making any such appointment. These restrictions must be fully

observed by you, and no expenses incurred, save as expressly provided for in your instructions from this office.

I return the papers which you inclosed.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Saint Cloud, Minn.*

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31 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 21, 1876.

GENTLEMEN: I inclose herewith a copy of a letter received at this office from the honorable Secretary of the Interior dated the 16th instant, with a transcript of the copy therewith inclosed of a report of the Commissioner of Indian Affairs, upon the subject of trespass committed upon the lands of the Isabella Indian reservation in Michigan by parties cutting timber thereon.

In compliance with the instructions of the Secretary therein contained, I have to direct that you cause the timber referred to as lying on the northeast quarter of southwest quarter of section 12 and southeast quarter of northwest quarter of section 25, in township 16 north, of range 3 west, to be sold under section 8 of the circular of December 24, 1855, and deposit the proceeds in the nearest United States depository to the credit of the Treasurer of the United States, on account of timber cut from the Isabella Indian reservation. You will make a report of the sale, according to the eleventh section of said circular, also send up an account of the necessary expenses incurred, in order that this office may be able to report to the Secretary the amount of the net proceeds of the sale, as requested by him.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Ionia, Mich.*

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32 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 21, 1876.

GENTLEMEN: In reply to your letter of the 9th instant, I have to refer you to the circular of December 24, 1855, copy inclosed, the eighth section of which contains instructions for the sale of timber cut on the public lands, which are applicable to the case to which you refer.

The proceeds of such sale are to be deposited according to the ninth, and an account of expenses reported for payment according to the tenth section of the same circular.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Sacramento, Cal.*

33 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 28, 1876.

SIR: In reply to the letter addressed to you by Edwin R. Parks, esq., dated at Escanaba, Mich., the 27th ultimo, which you yesterday referred to this office, and which is herewith returned, I inclose with this a copy of a letter which I have this day addressed to the register and receiver of the district land-office at Marquette, Mich., in reference to the subject-matter. On receipt from them of the report therein called for, further action will be taken in the matter, and you advised thereof.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

Hon. T. W. FERRY, *United States Senate.*

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34 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 28, 1876.

GENTLEMEN: The Hon. T. W. Ferry, of the United States Senate, has referred to this office a letter addressed to him by Edwin R. Parks, esq., dated at Escanaba, Mich., the 27th ultimo, in which Mr. Parks alleges that he is in your employ as deputy timber-agent, and complains of delay in the settlement of his account for services rendered as such.

This office has never been advised by you of the employment of Mr. Parks in that capacity. I therefore inclose herewith a copy of this letter to Mr. Ferry, and request that you promptly forward a report to exhibit all the facts of the case.

I would call your especial attention to the tenth section of the circular of December 24, 1855, copy inclosed, in which authority is given you as timber-agents, on any pressing emergency, to employ a deputy, but with the condition annexed that you report your action in so doing to this office *instanter*, and the necessity therefor. Where no such emergency exists, you are required to report the facts to this office and await instructions as to the employing of a deputy. In this case, if Mr. Parks was employed, you will state under what pressing emergency it was done, and why the fact was not reported to this office, as said circular requires.

In future you will fully observe the restrictions and limitations contained in said circular, and will employ no deputies and incur no expenses, save as authorized by your instructions from this office.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Marquette, Mich.*

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35 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 28, 1876.

GENTLEMEN: I have to call your attention to certain alleged trespasses on the timber growing within the limits of the unoccupied

reserve in the Indian Territory, set apart for the Cheyenne and Arapahoe Indians by the treaty of October 29, 1867 (Statutes, vol. 15, page 593), and held by the United States under the Cherokee treaty of 1866 (Statutes, vol. 14, p. 804), for the settlement of friendly Indians, as such trespasses are referred to in a letter from the Commissioner of Indian Affairs to the honorable Secretary of the Interior, dated the 19th instant, and in one from the Secretary to this office, dated the 20th instant, copies of which, with their inclosures, are sent herewith for your information.

In pursuance of the instructions of the Secretary, contained in his letter above mentioned, I have to direct that you take the necessary steps to prevent further depredations upon the lands described by the Indian Office in the communication from the Commissioner before referred to. In so doing you will be governed by the general instructions embodied in the circular of December 24, 1855, copy herewith, and will act in harmony with the registers and receivers at Wichita and Larned, to whom instructions similar to those herein contained will be sent under this date.

By the tenth section of said circular you are authorized to employ deputies to assist in protecting the timber under the circumstances, and subject to restrictions and limitations therein prescribed which must be closely observed and followed.

You will acknowledge the receipt of this letter, keep this office fully advised of your proceedings thereunder, and will employ no deputies and incur no expenses in such proceedings save as expressly authorized in your instructions from this office, care being necessary to avoid incurring liabilities not justified by the amount of the existing appropriation applicable to paying such expenses, which is small.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Independence, Kans.*

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36 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 28, 1876.

GENTLEMEN: With your letter of the 22d instant was received your timber-account for the third quarter of 1876, showing that on the 26th of September last you received $69.21 "by amount of Drew Bucke, Gillaville, Fla., through Washington Rogers, agent, in commutation for trespass on public timber."

As by my letter of the 20th July last, you were directed not to compromise cases of timber-trespass without the approval by this office of the proposed compromise being first obtained, I request that an explanation of the transaction above referred to be forwarded on receipt hereof.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Gainesville, Fla.*

37 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 28, 1876.

GENTLEMEN: I have to call your attention to certain alleged trespasses on the timber growing within the limits of the unoccupied reserve in the Indian Territory set apart for the Cheyenne and Arrapaho Indians by the treaty of October 29, 1867 (Statutes, vol. 15, page 593), and held by the United States under the Cherokee treaty of 1866 (Statutes, vol. 14, page 804), for the settlement of friendly Indians, as such trespasses are referred to in a letter from the Commissioner of Indian Affairs to the honorable Secretary of the Interior, dated the 19th, and in one from the Secretary to this office, dated the 20th instant, copies of which, and of their inclosures, are sent herewith for your information.

In pursuance of the instructions of the Secretary, contained in his letter above mentioned, I have to direct that you take the necessary steps to prevent further depredations upon the lands described by the Indian Office in the communication from the Commissioner before referred to.

In so doing you will be governed by the general instructions embodied in the timber-circular of December 24, 1855, copy herewith, and will act in harmony with the registers and receivers at Independence and Wichita, to whom instructions similar to these herein contained will be sent under this date.

By the tenth section of said circular you are authorized to employ deputies to assist in protecting the timber under the circumstances and subject to the restrictions and limitations therein prescribed, which must be closely observed and followed.

You will acknowledge the receipt of this letter, keep this office fully advised of your proceedings thereunder, and will employ no deputies and incur no expenses in such proceedings, save as expressly authorized in your instructions from this office, care being necessary to avoid incurring liabilities not justified by the amount of the existing appropriation applicable to paying such expenses, which is small.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Larned, Kans.*

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38 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 2, 1877.

SIR: In reply to your letter of the 8th ultimo I inclose herewith a copy of a letter addressed by this office to Alfred Russell, esq., of Detroit, Mich., under date of the 22d June, 1868, which it is thought will afford the information you desire on the subject of the cutting of timber by homestead settlers on the public lands.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. P. LOTT, Esq.,
Escanaba, Delta County, Michigan.

39 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 2, 1877.

SIR: I have received your letter of the 7th ultimo reporting the appeal of William Mulliken, esq., from your action in rejecting applications made by him on the 28th August, 1876, to enter the tracts therein described, as attorney for certain parties claiming additional homestead land under section 2306 of the Revised Statutes, and for certain others claiming under the 6th article of the Chippewa treaty of February 22, 1855, which you did for the reason that the claimants should make their applications in person, and not by attorney, as required by circular of May 22, 1876, and letter from this office of June 1, 1876, and for the additional reason in the case of the last-mentioned claimants that there were no witnesses in attendance to prove their identity and the facts entitling them to the benefits of the said 6th article, as required by the letter of June 1, 1876, already mentioned.

I approve your action in rejecting the applications referred to for the reasons given, and you will advise Mr. Mulliken accordingly.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER OF THE LAND OFFICE,
Saint Cloud, Minn.

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40 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 8, 1877.

SIR: I have received your letter of the 1st instant in the matter of the accounts of certain deputy timber-agents for services rendered and expenses incurred, which formed the subject of mine to you of the 29th November and the 1st December last.

Although your employment of the deputies was without the knowledge or approval of this office, which had no opportunity to pass upon the propriety of your doing so in consequence of your failing to report as contemplated in circular of instructions of December 24, 1855, yet, in view of the sworn statements of the parties which accompany their accounts as returned with your letter, and the point that his services were actually rendered and the expenses actually incurred in the service, with a much larger amount realized to the Treasury therefrom than the amount of their claims, the accounts referred to will be reported to the Treasury for payment out of such balance as may remain unexpended of the appropriation made by act of March 3, 1875 (Statutes, volume 18, page 384), "to meet the expenses of suppressing depredations upon the timber on the public lands" for the year ending June 30, 1876.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

HON. J. H. BAKER,
Surveyor-General, Saint Paul, Minn.

41 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 9, 1877.

GENTLEMEN: I have to direct that, on receipt hereof, you report to this office whether or not you have or have not any deputy timber agents employed under the tenth section of the circular of December 24, 1855. If so, give the name of any such deputy, the date of his employment, and how long his services will probably be required, also, the amount of liabilities you have incurred up to date as timber agents under that circular.

In future employ no deputies without special authority therefor first obtained from this office.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *San Francisco, Cal.*

NOTE.—Similar letter sent to each of the other district land-offices.

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42 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., Jannary 11, 1877.

GENTLEMEN: In reply to your letter of the 27th ultimo, regarding the case of Abe Johnson cutting timber on the public land, which had been compromised by you on condition that the party should pay the usual stumpage for the timber cut and all expenses incurred, I have to state that if you are satisfied that, in originally scaling the timber cut by Johnson, an error was committed in estimating it too high, you will be governed in the final adjustment of the case by what you ascertain to be the true amount.

You will apply the same rules in the case of J. Beau, also referred to in your letter.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Bayfield, Wis.*

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43 D.

DEPARTMENT OF THE INRERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 17, 1877.

GENTLEMEN: In reply to your letter of the 8th instant, stating that information has reached you of certain railroad-ties having been cut off the public lands in and near American Fork, in Utah Territory, I have to state that E. F. Hooker, esq., of Cheyenne, Wyoming Territory, has been appointed special agent of this office to prevent waste and destruc-

tion of timber on the public lands in Utah, as you were advised by my letter of the 6th instant. To him you will communicate the information you have received, and co-operate with him in any steps he may take in the matter.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Salt Lake City, Utah.*

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44 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 17, 1877.

GENTLEMEN: I have received your letter of the 30th ultimo, transmitting your account as timber agents for the fourth quarter, 1876, from which it appears that you received $315 from George Seaburg on compromise for 126,000 feet of timber, at $2.50 per 1,000 feet. You will report the case so compromised, with your reasons for compromising the same, and hereafter, before compromising any case of the kind, you will report the fact to this office, and obtain its approval of the proposed settlement.

The bills of Victor E. Tull, A. J. Treadway, C. B. Bagley, and of the steamer Nellie, Thomas A. Wright, master, which accompanied your letter, above referred to, are herewith returned. The allowance of ten cents mileage cannot be admitted, but only actual traveling expenses, under act of Congress of June 16, 1874. See circulars of August 1, 1874, July 1, 1874, and September, 1874; Copp's Public Land Laws, pages 790, 791, and 792.

Your attention is also called to the fact that these bills were sworn to before the receiver. There is no law authorizing that officer to administer oaths in such cases.

In the case of the bill of expenses of A. J. Treadway, there is no explicit showing as to the employment in which he was engaged when the expenses were incurred; nor is there any as to how he was paid therefor. Please explain.

Require the parties to substitute for these, bills free from the defects above indicated, and report the same for settlement.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Olympia, Wash.*

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45 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 20, 1877.

GENTLEMEN: In reference to the case of the timber cut in Delta County, Michigan, which formed the subject of your letter of the 12th ultimo, and regarding which you therein state that you have applied to

[illegible] I have to request that you report the result of such application and the present condition of the matter.

Mr. [illegible], of [illegible], having addressed a letter to this office stating his desire to purchase some of the timber [illegible] I have to request to [illegible] the same therefor.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

RECEIVER and REGISTER, [illegible], M. T.

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46 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., February 17, 1877.

GENTLEMEN: In the case reported in your letter of the 30th ultimo, of trespass by Messrs. Bullington & Fernandez on the public land, by cutting timber in sections 30 and 31, township 6 south, of range 26 east, it appears that the parties did not wilfully trespass, but were misled so to go by their surveyors, or in consequence of the obliteration of the lines of survey. The compromise of the case proposed by you is therefore approved by this office.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

RECEIVER and RECEIVER, *Gainesville, Fla.*

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47 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington D. C., March 1, 1877.

SIR: I this day received your letter of the 27th ultimo, inclosing an application by Mr. William Coventry H. Waddell for permission for his son, Henry C. Waddell, to cut and burn or otherwise dispose of any wood or timber on a certain tract of land in California before making payment for the same.

In reply, I have to state that the act of Congress of 2d March, 1831, now section 2461 of the Revised Statutes, makes it a penal offense to cut or remove timber from the public lands, and it is not in the power of this office to authorize this to be done as desired. I inclose the timber circular of December 24, 1855.

Very respectfully, your obedient servant,
J. A. WILLIAMSON,
Commissioner.

Hon. ELIJAH WARD, *House of Representatives.*

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48 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., March 1, 1877.

GENTLEMEN: Referring to your letters of the 16th January and the 20th February last, I have to direct, if you have information of parties

cutting or removing timber from the public lands in your district in violation of section 2461 of the Revised Statutes, that you communicate the same to the United States district attorney, to the end that such offense against the law may be prosecuted and tried by the authorities duly constituted for that purpose; but with regard to appointing deputies to look up cases of timber-trespass, you will take no such action until further orders.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Duluth, Minn.*

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49 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., March 2, 1877.

GENTLEMEN: Referring to your letter of the 22d January last, I have to direct, if you have information of parties cutting or removing timber from the public land in your district in violation of section 2461 of the Revised Statutes, that you communicate the same to the United States district attorney, to the end that such offense against the law may be prosecuted and tried by the authorities duly constituted for that purpose; but with regard to appointing deputies to look up cases of timber-trespass, you will take no such action until further orders.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Saint Cloud, Minn.*

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50 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., March 2, 1877.

GENTLEMEN: I have received your letter of the 20th instant, in the case of timber cut on public land in Delta County, Michigan, as reported by you under date of the 21st of July, 1876.

In view of the opinion you express, that the logs in question cannot now be disposed of at public sale for more than a nominal sum, and if the purchaser at the first sale thereof still claims the logs and declines to take back the purchase-money, you are authorized to notify him that the sale is affirmed, to deposit the purchase-money, and report according to the 9th section of said circular.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Marquette, Mich.*

51 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., March 10, 1877.

GENTLEMEN: This office is advised by Sumner Howard, esq., United States attorney, district of Utah, through the Department of Justice, of the fact that on the 26th January last the sum of $500 was paid to the receiver by the assignee in bankruptcy of Messrs. Longmaid & Co., on account of trespasses committed on the public timber in your land-district.

That money should have been deposited and an immediate report made of the same to this office, according to requirements of the 9th section of the circular of December 24, 1855. Please report in the matter on receipt hereof.

Referring to my letter to you of the 9th January last and yours in reply of the 25th of the same month, I would inform you that E. F. Hooker, esq., of Cheyenne, Wyo., is appointed special timber-agent of this office, of which you were advised, with directions to co-operate with him, in mine of the 6th and the 17th January last, and that the employment of deputy timber-agents by you is forbidden, without express authority therefor being first obtained from this office.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Salt Lake City, Utah.*

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52 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., March 15, 1877.

SIR: You are hereby detailed to investigate trespasses upon the public lands of the United States, by cutting and removing timber therefrom, in the States of Louisiana, Mississippi, Alabama, and Florida. Reports have been received of extensive depredations upon the timber upon the public lands in these States, and the object of your detail is to have such steps taken as will secure payment for timber already cut, punish the offenders, and prevent as far as practicable further waste.

Your effort should be to ascertain the facts in each particular case, and obtain all data necessary to enable the United States district-attorney to institute proper proceedings to seize timber or lumber, to recover value of same, and to prosecute for fine and imprisonment.

It is impracticable to give instructions that will minutely govern your action, and you will be expected to exercise your discretion in each case in obtaining the data referred to, which will involve location of timber and lumber unlawfully cut, names and residence of trespassers, and witnesses, &c. You will consult fully and freely with the United States district attorneys in regard to all your action.

For your full information in regard to the action heretofore taken to suppress depredations upon public timber and for reference to existing laws upon the subject, I inclose herewith a copy of a report from this office to the honorable Secretary of the Interior, dated January 24, 1877.

I will remark that in the discharge of your duties you should be careful not to interfere with rights under the pre-emption and homestead laws, the settler under these laws, with a view to cultivation, having the right to use or destroy trees in clearing roads and constructing bridges, or for any other purpose connected with the improvement of his homestead; but, while thus liberal to the honest settler, you should be vigilant to detect and cause the arrest of the speculator, who, in the guise of a settler and under the sanction of a declaratory statement or application, may engage in the spoliation of timber.

If seizures are made by the United States marshal, sales should be made where there is a certainty that the timber or lumber has been unlawfully cut from the public lands, and the proceeds of sale should be deposited in some one of the United States depositories to the credit of the Treasurer of the United States, and the original certificate of deposit, specifying on what account collected, sent to the Secretary of the Treasury.

You are authorized to call upon any of the registers or receivers in any of the States named to co-operate with you, and you can exhibit this letter as authority for such action.

I inclose herewith for your information a copy of a letter, dated January 1, 1877, from J. L. Bradford and John Kap, in relation to the depredations committed and still going on upon the public timber in the southwestern district of Louisiana. You will first proceed to that location and avail yourself of the presence of the surveying party mentioned in the execution of your duties there under this detail. You will keep this office advised of your action and of your post-office and telegraphic address. In addition to your salary as a clerk of this office, you will be allowed your traveling and other necessary expenses.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

MURRAY A. CARTER, Esq.,
General Land Office, Washington, D. C.

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53 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., March 20, 1877.

SIR: In reply to your letter of the 19th ultimo, I have to state that the cutting or removing of timber from the public lands without authority is a criminal offense, punishable with fine and imprisonment, under the act of Congress of March 2, 1831 (now section 2461 of the Revised Statutes of the United States), and, like any other criminal offense, should be prosecuted and the offender brought to punishment by the proper authorities. If you know of this offense having been committed, you may go before a United States commissioner or a justice of the peace and make oath to the facts, when it would become his duty to take the proper steps to have the offender arrested, and, if the evidence should be sufficient, held to answer as usual in criminal cases.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

A. W. MOONIS, Esq.,
Inkpa City, Grant County, Dak.

54 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 9, 1877.

SIR: Referring to my letter addressed to you March 15, 1877, detailing you to investigate trespasses upon the public lands of the United States by cutting and removing timber therefrom in the States of Louisiana, Mississippi, Alabama, and Florida, I inclose herewith a copy of a letter from the department to this office, dated the 5th instant, giving instructions for the future guidance of this office in the prevention of depredations upon the public timber. These instructions modify in some particulars the directions in the letters of detail referred to, and you will act in strict conformity therewith.

Your attention is called to section 1044 of the Revised Statutes, which is as follows, viz: "No person shall be prosecuted, tried, or punished for any offense not capital, except as provided in section 1046 (section 1046 provides for limitation in case of crime arising under the revenue laws or slave-trade laws), unless the indictment is found or the information is instituted within two years next after such offense is committed." Therefore, in any case where criminal prosecution is contemplated, this limitation must be kept in mind. There is no limitation against the United States in civil actions to recover timber or the value of timber or money collected belonging to and withheld from the United States, but with a view to such action cases of recent occurrence should receive attention in preference to those where a great length of time has elapsed, as recent cases, as a rule, are much more easily sustained by evidence than those which are remote; but it is desired that your investigation should be thorough and embrace all in which there is any probability of sustaining a civil or criminal action.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

MURRAY A. CARTER, Esq.,
Lake Charles, Calcasieu Parish, La.

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55 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 21, 1877.

SIR: I have the honor to acknowledge the receipt, by reference from you, of a letter dated East Portland, Oreg., March 26, 1877, addressed to you by John Campbell, esq., who desires to be appointed agent to protect the timber upon the public lands in Oregon and Washington.

You are respectfully advised that the limited appropriation made by Congress to meet expenses of suppressing depredations upon timber on the public lands ($5,000) does not enable the employment of force additional to that now in the service.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

Hon. JOHN H. MITCHELL,
United States Senator.

56 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 25, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

Dispatch received. Consult district attorney, and have proper proceedings taken for seizure immediately.

J. A. WILLIAMSON,
Commissioner.

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57 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 26, 1877.

[Telegram.]

M. A. CARTER, Esq, *Lake Charles, La.:*

If you can testify to facts justifying seizure, go to New Orleans.

J. A. WILLIAMSON,
Commissioner.

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58 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 28, 1877.

GENTLEMEN: In reply to your letter of the 14th instant, I refer you to the inclosed copy of the circular of September 15, 1875, relative to the scrip issued pursuant to the act of Congress of June 22, 1860, from which you will see that scrip of this character is assignable. If the scrip in any case is located in part satisfaction, and afterward assigned, the subsequent assignee is entitled to locate it for so much of the land called for thereby as remains unsatisfied and to receive a certificate of entry in his own name, or he may locate it for a part of the land, receive this certificate of entry thereof, and assign to another.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

Messrs. DAVID PRESTON & CO., *Detroit, Mich.*

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59 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 28, 1877.

GENTLEMEN: Referring to your letter of the 28th ultimo, I inclose herewith a copy of a circular of December 24, 1855, and of a letter of

the 8th July, 1874, from this office to the register and receiver of the district land-office at Salt Lake City, Utah, both of which are of record in this office, and under which the said register and receiver were timber-agents for their land-district at the time to which your letter relates.

I inclose likewise a copy of circular of July 20, 1875, showing the manner of proceeding to obtain certified copies from the records of this office.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

Messrs. BENNETT & HARKNESS,
Salt Lake City, Utah.

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60 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 30, 1877.

SIR: I send herewith inclosed for your information a copy of a letter, dated the 26th instant, addressed by the honorable Attorney-General to the honorable Secretary of the Interior, advising the latter that the United States attorney for the district of Louisiana had been telegraphed to put himself in communication with you, and to proceed forthwith against the depredators on public timber if the facts warrant such a course.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

MURRAY A. CARTER, Esq. (care of United States district attorney),
New Orleans, La.

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61 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 2, 1877.

GENTLEMEN: Referring to that part of your letter of the 29th March last, which relates to a sum of money now in the bank of Wells Fargo, in Salt Lake City, deposited by Oliver A. Patton, as register, and supposed to be proceeds of sales made by him of lumber and timber cut on the public lands and asks instructions regarding the same, I direct that you ascertain from what source the money referred to was derived, and then report the facts of the case for instructions.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Salt Lake City, Utah.*

[Circular.]

62 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 2, 1877.

GENTLEMEN: The Secretary of the Interior has concluded to change the method formerly adopted for protecting the timber on the public

lands, by which you were made agents for that purpose within the limits of your respective land-districts, as per circular of December 24, 1855.

Pursuant to directions from him of the 5th ultimo, the instructions of that circular are hereby revoked.

Hereafter as it may be found advisable, from time to time, for the end in view, clerks or employés will be detailed from this office to act under instructions of the Commissioner in ascertaining when, where, and by whom depredations have been committed upon the public lands, and to report to him the facts in each case.

If, upon an examination of the reports so obtained, the Commissioner finds that the facts elicited in any case warrant the commencement of legal proceedings to punish the trespassers, or to collect damages for the waste already committed, or both, he will report the same to the Secretary of the Interior, with his opinion thereon, in order that such further proceedings may be had in the premises as the case may require.

The clerks or employés detailed as aforesaid will not be permitted to make any compromise for depredations committed on the public lands. If any propositions are submitted to them with that object, they will be required to report the same to this office, with a full statement of the facts in the case, showing the nature and extent of said depredations, when and by whom committed, the amount and value of the timber when cut, and the value of the land in its present and former condition, all of which, together with the opinion of the Commissioner, will be submitted to the head of the department for further consideration.

If in any case the emergencies should seem to require more prompt action than is contemplated in the rules above indicated, in order to arrest the offender, or to secure the government for the damages suffered, it will be the duty of the clerk or employé so detailed to act in the matter, to make direct application to the United States district attorney for the district in which the waste was committed to institute the proper legal proceedings for that purpose; this course, however, must be taken only in cases where the evidence is clear and indisputable.

The foregoing is communicated for your information. You will observe therefrom that you are not hereafter to act as agents for the protection of the public timber, although your co-operation is expected whenever you may be called on to render assistance to officials charged with the duty.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

To REGISTERS and RECEIVERS OF
UNITED STATES LAND OFFICES.

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63 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 5, 1877.

GENTLEMEN: In reply to your letter of the 20th ultimo, in reference to the appointment of a deputy timber-agent, I have to refer you to my letter of the 9th January last, forbidding you to appoint any such deputy without authority therefor first obtained from this office.

Your authority as timber-agents is discontinued by direction of the

Secretary of the Interior, and, of course, no appointment of deputy by you can be recognized.

In regard to the public timber, a circular will be issued and a copy transmitted to you in a few days.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Natchitoches, La.*

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64 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 12, 1877.

[Telegram.]

MURRAY A. CARTER, Esq., *Lake Charles, La.:*

Your telegram received. I congratulate you upon your success. Press the good work steadily forward. Report as soon as possible in detail the action taken, location, names, amount.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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65 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 15, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

Dispatches of yesterday and to-day received. Department of Justice will be requested to send desired instructions to marshal at New Orleans and attorney at Galveston by telegraph.

Dispatches came to Secretary Interior that timber is seized, not cut, on public land. Exercise care.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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66 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 17, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

Yesterday's dispatch received. Proposition for ten cents per log can-

not be entertained. Receive and forward any reasonable proposition in writing which may be offered.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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67 D.

DEPATMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 22, 1877.

[Telegram.]

E. J. LYONS and others, *Lake Charles, La.:*

No compromise will be approved or considered by the department until an inventory and appraisal of the property has been received, and not then at less than the full valuation of the property.

J. A. WILLIAMSON,
Commissioner.

Charge to E. J. Lyons.

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68 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 22, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

Your telegram received; your action is approved. Report full details as soon as possible, giving inventory, amounts, estimates of value in each case, description of the tracts upon which cut, names of parties cutting or removing. Make your report as full and specific as possible.

E. J. Lyons has been telegraphed that no compromise will be considered until estimate is received, and then only at full value.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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69 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 23, 1877.

SIR: I send herewith for your information a copy of a letter from the honorable Attorney-General to the Secretary of the Interior, dated the 19th instant, inclosing copies of all instructions given by the Department of Justice to the United States officers in Louisiana in relation to depredations upon public timber in that State, as also transcripts of the copies which he inclosed. I likewise send herewith copies of two telegrams received at this office from E. J. Lyons and others, dated at

Lake Charles, La., the 21st and 22d instant, and one sent to them in reply to the former, of date the 22d, in reference to the same subject.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *Lake Charles, La.*

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70 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 24, 1877.

SIR: In reply to your letter of the 26th February last, I have to state that actual settlers on the public lands under the homestead and pre-emption laws have the right to use the timber on the tracts covered by their settlements to the extent necessary for domestic purposes, as clearing, building, fencing, fuel, &c., but not for sale or speculation until after the expiration of the proper period; if pre-emption claimants, they prove up and pay for the land; or if homestead claimants, obtain their final certificates according to law.

I return postage-stamp.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

MARTIN S. MILLER, Esq.,
Peru, Chautauqua County, Kans.

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71 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 25, 1877.

SIR. I inclose herewith a copy of a letter addressed to the honorable Secretary of the Interior by John E. Leet, esq., dated at New Orleans, La., the 16th instant, which has been referred to this office, relative to alleged timber-trespasses on the public lands in Saint Tammany Parish, Louisiana.

You will communicate with Mr. Leet on the subject when existing engagements will admit of your giving attention to the matter.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq, *Lake Charles, La.*

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72 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 25, 1877.

SIR: Your letter of the 16th instant, addressed to the Hon. Secretary of the Interior, has been referred to this office relative to timber-trespasses on the public lands in Saint Tammany Parish, Louisiana.

In reply, I inclose herewith a copy of my circular of May 2, 1877, and state that M. A. Carter, esq., has been detailed from this office to investigate and report, according to the principles of that circular, in regard to timber-depredations in Louisiana. A copy of your letter will be sent to him at Lake Charles, Calcasieu Parish, Louisiana, with one of this date directing him to communicate with you on the subject when existing engagements will admit of his giving attention to the matter.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOHN E. LEET, Esq.,
Box 1365, *New Orleans, La.*

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73 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 31, 1877.

GENTLEMEN: In reply to your letter of the 14th instant, relating to an unadjudicated case of timber-trespass on the public lands in your district, pending before you as timber-agents under the circular of December 24, 1855, which is revoked by circular of May 2, 1877, copy inclosed, I direct that you proceed promptly to close up the case referred to, under instructions heretofore given therein, and report to this office the final disposal of the timber, after which you will be advised in regard to Parks, your former deputy, and his claim of compensation.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Marquette, Mich.*

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74 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 2, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

Dispatches of yesterday and to-day received. Secretary will be asked to have district attorney instructed. Protest against bonding of any logs until a full inventory and appraisal is made, and if bond is then offered, see that it is ample to secure the government for any claim that may be determined in its favor.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

75 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 11, 1877.

SIR: I have received your letter of the 30th ultimo, relative to your claim for compensation for services rendered in 1876, in the employ of

the register and receiver of the district land-office at Bayfield, Wis., acting as timber-agents, under the circular of December 24, 1855. In reply, I have to state that the delay in paying your claim is owing to the inadequacy of the appropriation applicable to defraying the expenses of suppressing timber depredations in 1876.

It seems that in that year the timber-agents, without keeping this office duly advised of their proceedings, incurred expenses which are found to be in excess of the appropriation ($5,000). I am satisfied that the compensation claimed by you is equitably due, that the services were rendered in good faith, and to the benefit of the public Treasury, but payment cannot be made without an appropriation therefor. Congress at its next session will be asked for an appropriation to pay such claims, and when the appropriation is made, your account will be reported to the Treasury for payment.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

G. H. WARREN, Esq., *Minneapolis, Minn.*

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76 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 13, 1877.

[Telegram.]

O. H. BREWSTER, *Surveyor-General, New Orleans, La.:*

Appoint a competent deputy surveyor for service under M. A. Carter, an employé of this office.

U. J. BAXTER,
Acting Commissioner.

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77 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 13, 1877.

[Telegram.]

MURRAY A. CARTER, *Lake Charles, La.:*

Apply to surveyor-general, who has instructions to appoint deputy.

U. J. BAXTER,
Acting Commissioner.

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78 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 18, 1877.

SIR: I have had the honor to receive a letter from you dated the 11th April last, with which you submitted the application of H. A. Temple,

esq., of Oakland, Cal., for appointment as agent to protect the timber on the public lands of the United States.

I inclose herewith a copy of my circular of May 2, 1877, as showing the principles under which this office conducts its investigations regarding timber-depredations on the public lands.

The limited appropriation made by Congress to meet the expenses of suppressing such depredations ($5,000) is not sufficient to admit of adding any to the force now employed in the service.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

Hon. NEWTON BOOTH.
United States Senator, Sacramento, Cal.

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79 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 18, 1877.

GENTLEMEN: In reference to the subject of the receiver's letters of March 29 and June 6, 1877, it appears that the sum of money therein referred to as having been deposited by Oliver A. Patton, former register, in "the bank of Wells, Fargo, in Salt Lake City," amounting to $3,[illegible].82, is a remnant of moneys derived by him from the sale of timber cut on the public lands of the United States, or as stumpage for timber taken therefrom.

You are therefore directed in closing up your business as timber agents under the circular of December 24, 1855, which is revoked by that of May 2, 1877, to claim and receive from the bank the said sum of money as public money of the United States, to deposit the same in the nearest designated depository to the credit of the Treasurer of the United States on the account of depredations on the timber on the public lands, and to report your action in so doing by special letter to this office.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Salt Lake City, Utah.*

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80 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 22, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

Your telegram of the 21st received. Every possible step is being taken to protect interest of the United States.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

81 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 27, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

Is the marshal going on with inventory, or has he suspended it in consequence of order of court appointing appraisers?

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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82 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 27, 1877.

SIR: I have received your letters of the 18th and 20th instant, in the matter of the timber under seizure in Calcasieu Parish, Louisiana. I fully appreciate the difficulties with which you have to contend in the discharge of your duties, and the spirit, perseverance, and energy with which you have acted. I congratulate you on the degree of success already attained. You will continue to do as much as may be in your power to serve the interests of the United States, in your present post. I shall recommend that after the 1st of July next your salary shall be at the rate of $1,600 per annum.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *Lake Charles, La.*

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83 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 29, 1877.

SIR: In reply to your letter of the 12th instant, I have to state that there is no law under which you can be insured protection in taking timber from the public land for sale or speculation. If your object is to bring about legislation on the subject your proper course is to address yourself to Congress, the law-making power, which you may do by petition or through your immediate representative in that body at its next session.

I inclose timber-circular of May 2, 1877.

Very respectfully,

U. J. BAXTER,
Acting Commissioner.

WM. L. PERKINS, Esq.,
Bozeman, Gallatin County, Mont.

84 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 2, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

Collect evidence of government title to the logs in controversy in Calcasieu Parish, Louisiana, and report same to District Attorney Lacey as soon as practicable.

U. J. BAXTER,
Acting Commissioner.

Charge General Land Office.

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85 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 6, 1877.

SIR: I have received your letter of the 23d ultimo, in the matter of your claim for compensation for services rendered and expenses incurred by you in 1876, as deputy to the register and receiver of the district land-office at Marquette, Mich., while timber-agents under the circular of December 24, 1877, which was revoked by circular of the 2d May last.

In reply I have to state that the register and receiver at Marquette, in their letter to this office of February 11, 1877, reported a bill as presented by you to them for the sum of $234.65, but they refused to certify it as being correct. On the contrary, they reported the sum of $102.40 as the full amount due.

The case of timber-trespass out of which your claim for compensation arises is still unsettled, and formed the subject of a letter from this to the district office of May 31, 1877, a copy of which I inclose herewith. As soon as that case is settled your account will receive further attention.

I inclose copies of said circulars.

Very respectfully,

U. J. BAXTER,
Acting Commissioner.

E. R. PARKS, Esq.,
Escanaba, Delta County, Mich.

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86 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 10, 1877.

M. A. CARTER, Esq., *Lake Charles, La.:*

Attorney General telegraphed district attorney to-day, "Do not con-

sent to any release of timber seized, without the knowledge and concurrence of agent of Interior Department."

U. J. BAXTER,
Acting Commissioner.

Charge General Land Office.

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87 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 13, 1877.

GENTLEMEN: I have received your letter of the 2d instant, regarding "the duty of registers and receivers in prosecuting all parties guilty of destroying the timber upon government lands."

In reply I inclose a copy of circular of May 2, 1877, referring particularly to the last paragraph thereof.

Very respectfully, your obedient servant,

U. J. BAXTER,
Acting Commissioner.

REGISTER and RECEIVER, *Deadwood, Dak.*

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88 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 14, 1877.

SIR: The Attorney-General has addressed a letter, dated the 11th instant, to the Secretary of the Interior, inclosing a copy of a telegram received by him from George S. Lacey, esq., district attorney at New Orleans, dated the 10th, in which the latter says: "I have persistently refused, and will continue to refuse, to consent to any release of timber seized, without knowledge and concurrence of Special Agent Carter." The Attorney-General's letter having been referred to this office, I inclose herewith a copy of the same, as also a transcript of its inclosure.

Very respectfully,

U. J. BAXTER,
Acting Commissioner.

M. A. CARTER, Esq., *Lake Charles, La.*

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89 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE
Washington, D. C., July 19, 1877.

GENTLEMEN: I received on the 16th instant the communication signed by yourself and six others, but bearing no date, in reference to the pro-

ceedings of the register and receiver at San Francisco, Cal., as timber-agents, under the circular of December 24, 1855, copy inclosed, and of Mr. F. E. Warren, employed by them as their deputy, pursuant to the tenth section thereof.

In reply, I have to state that I find on examination that Mr. Warren was employed by the register and receiver early in 1873, and their action in so doing was approved by this office. His employment as such deputy was continued from time to time until January, 1877, when it was discontinued by the register and receiver pursuant to instructions contained in a letter addressed by this office to the several district land-offices of January 9, 1877.

Under the regulations which then prevailed, but which were revoked by circular of May 2, 1877, copy inclosed, the deputy in such cases acted for the register and receiver and accounted to them.

Whatever money was collected as stumpage in timber-trespass cases which were compromised, or as the price of timber seized and sold as having been cut on the public lands, was paid to the register and receiver, and by them accounted for. If the register and receiver in the matters which form the subject of your communication trespassed in any instance on the property rights of any citizen, the ordinary and well-known legal remedies were available to him to redress the wrong done.

As you do not state that these remedies ever were resorted to, the presumption is a matter of course that no such wrong was committed.

The timber accounts rendered by the register and receiver from time to time audited by this office, and reported to the Treasury Department for final settlement, show that they received on account of timber-trespasses from the first quarter of 1873 until the first quarter of 1877, inclusive, a period embracing the time of Mr. Warren's employment as their deputy, moneys amounting in the total to $6,422.47, and duly deposited the same to the credit of the United States. During the same period Mr. Warren was allowed for his services and for expenses incurred by him as their deputy $3,014.15, and there is an additional claim presented by him, but not yet passed upon, for $157.05.

There is nothing in this office to show that there was any irregularity in the proceedings of the register and receiver or their deputy in the matters herein referred to. If it is desired to bring charges of malfeasance against them, it is proper that it should be done as required by rule in such cases, under oath, and to embrace a specification of the particular act or acts of malfeasance alleged. You, or any of your co-signers of the communication to which this is a reply, or any other respectable citizen to whose notice this may come is invited to produce, in that manner, any charges he may have to make. Should this be done, the matter will be duly considered, and such action taken as may appear called for by the case presented. As you omitted in your communication to indicate your address, I send this to the care of Mr. M. J. C. Galvin, of Mendocino, Cal., who is mentioned by you as a proper person to investigate the subject-matter.

Very respectfully, your obedient servant,

U. J. BAXTER,
Acting Commissioner.

HOMER GRANT, Esq., and others (care of M. J. C. Galvin, esq.)
Mendocino, Mendocino County, Cal.

90 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 23, 1877.

GENTLEMEN: In reply to your letter of the 10th instant, I inclose herewith, for your information, a copy of the timber-circular of December 24, 1855, as also a copy of the circular of May 2, 1877, revoking the instructions contained in the former.

There is no law under which you can be protected in taking timber from the public land for sale or speculation, and to provide therefor Congressional action will be necessary.

If you think proper, you may bring the matter before Congress at its next session by petition, or through your immediate representatives in that body.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

Messrs. SKOOG BROS. & CARLSON,
Conejos, Conejos County, Colo.

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91 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 27, 1877.

SIR: In reply to your letter of the 9th instant, I have to state that the act of Congress of March 2, 1831, now embodied in sections 2461, 2462, and 4751 of the Revised Statutes of the United States, makes it a penal offense to cut or remove timber from the public lands without authority.

The party who enters a tract of public land under the homestead laws is thereby entitled to occupy the land, to clear it, build on it, and inclose it with a view to cultivation. For these purposes he may use or destroy any trees which may be necessary, but within these restrictions and necessary fire-wood he is confined. He is not entitled to cut the timber for sale or speculation until after the period legally prescribed for settlement and cultivation has elapsed and he makes the required proof of settlement and cultivation for such period and obtains his final certificate according to law.

If before this he cuts or removes the timber for sale or speculation he renders himself liable as a trespasser, and the timber so cut is liable to seizure and sale as public property.

Any vacant and unappropriated public lands of the United States in Louisiana may now be purchased in limited quantities by actual settlers under the provisions of the pre-emption laws, but they will not be liable to purchase by parties not settlers, as by ordinary private entry, until after they shall have been offered at public sale under the act of Congress of June 22, 1876. When this is done, which will be as soon as practicable, notice thereof will be given by public proclamation.

I send circular of May 18, 1876.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

F. M. ROWE, Esq.,
Mermenton, Saint Landry Parish, La.

92 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 26, 1871.

SIR: I inclose herewith for your information a copy of a letter addressed by the Attorney-General of the United States to the Secretary of the Interior, dated the 25th instant, which has been referred to this office, inclosing copies of one addressed to the Attorney-General by the Secretary of War, of date the 17th instant, and the paper accompanying the same, the latter being a copy of a report of Capt. E. W. Clift, Thirteenth Infantry, dated the 29th ultimo, upon matters transpiring at Lake Charles, La., in regard to the property (logs) of the United States there; also transcripts of its inclosure.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *Lake Charles, La.*

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93 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 7, 1877.

SIR: I am informed by the surveyor-general of Louisiana that, in accordance with my instructions, he appointed, on June 15 last, Mr. George K. Bradford to act as an assistant to you in your duties.

Mr. Bradford will receive for his services the sum of $150 per month and his actual and necessary expenses.

His accounts, which must be carefully itemized under dates and with the same forms as your own, you will take up in your accounts as amounts paid for services, referring to the subvouchers by number as usual.

To be more explicit, I will say that your accounts will be rendered to show all disbursements made to yourself and to those employed under your direction, and the parties so employed will receive their pay from you. The accounts can be rendered as often as necessary, and great care must be taken to have them conform in all respects to the requirements of the disbursing-officer, as heretofore explained to you.

Mr. Bradford's account for services and expenses from June 15 to June 30, inclusive, will be sent separate from expenses incurred since July 1, in order that they may be paid from the appropriation for the last fiscal year. All accounts and bills should be approved by you. A supply of blanks will be sent to you this day for Mr. Bradford's use.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq.,
Special Agent, New Orleans, La.

P. S.—The original copy of this letter in chief clerk's copy-book.

94 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 7, 1877.

SIR: In reply to your letter of the 30th ultimo, relative to the appointment of Mr. G. K. Bradford as assistant to Mr. M. A. Carter, special agent, I have to inform you that Mr. Bradford's salary will be $150 per month and expenses, the same to be paid by Mr. Carter, who will include in his accounts the accounts of Mr. Bradford.

Mr. Carter has been instructed in relation to the matter (addressed to St. Charles Hotel, New Orleans), and furnished with proper vouchers and blanks for Mr. Bradford's use.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

O. H. BREWSTER, Esq.,
Surveyor-General, New Orleans, La.

P. S.—Original copy of this letter in chief clerk's copy-book.

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95 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 8, 1877.

[Telegram.]

REGISTER OF THE LAND OFFICE, *Denver, Colo.:*

United States District Attorney W. S. Decker telegraphs that several hundred thousand railroad ties have been cut on public lands, and are being shipped from different points in mountains. Communicate with him immediately, investigate the matter, and take proper steps to secure the ties, if wrongfully taken from public lands. If unable to act yourself, employ a deputy for the occasion. Report proceedings.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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96 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 14, 1877.

REGISTER OF THE LAND OFFICE, *Denver, Colo.:*

Can make no advance of funds from appropriation. Must ask that you employ private funds to meet necessary expenses, and forward account for settlement.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

97 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 17, 1877.

SIR: I have received your letter of the 30th ultimo, and in reply have to state that the limited appropriation made by Congress for paying the expenses of suppressing timber-depredations on the public lands ($50,000) does not admit of my giving you employment, or of making any addition to the force already employed in that branch of the service.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

E. B. STUCKEY, Esq.,
Chico, Butte County, Cal.

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98 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 18, 1877.

M. A. CARTER, *New Orleans, La.:*

Dispatch of yesterday received. Report here in person.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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99 D.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 20, 1877.

M. A. CARTER, *New Orleans, La.:*

It has been reported to the Attorney-General that a large number of logs cut in the State of Texas have been seized by your order at Orange, doing great damage to mill-owners. Inform me of the facts.

J. A. WILLIAMSON,
Commissioner.

Charge to General Land Office.

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100 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 20, 1877.

M. A. CARTER, *New Orleans, La.:*

The marshal has been instructed, and you are hereby directed to stay

with him and see to it that no insufficient bonds are accepted. Your permission to visit this city is revoked for the present.

J. A. WILLIAMSON,
Commissioner.

Charge to General Land Office.

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101 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 20, 1877.

JOHN W. JONES and E. A. PROTOIS,
Saint Paul, Minn.:

Report to United States district attorney all evidence obtained by you up to this date regarding depredations. You will employ three suitable men, and you and they will act under the direction of Mr. Billson in procuring testimony.

J. A. WILLIAMSON,
Commissioner.

Charge to General Land Office.

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102 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 22, 1877.

GENTLEMEN: I have received a letter from the honorable Secretary of the Interior, dated the 10th instant, with which he inclosed one referred to him by the honorable Attorney-General from William W. Billson, esq., United States attorney for the district of Minnesota, under date of the 4th instant, in reference to the cases now pending in that district for timber-depredations on the public lands. In accordance with the directions contained in the Secretary's letter, I sent you instructions by telegraph under yesterday's date. I now transmit to you herewith copies of that letter and its inclosure for your further information, and in order that you may have before you the Secretary's directions, by which you will be governed in carrying into effect the telegraphic instructions referred to.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

JOHN W. JONES and E. A. PROTOIS, Esqs.,
Saint Paul, Minn.

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103 D.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 22, 1877.

WILLIAM NOWLAN, *Helena, Mont.:*

Could you accept an appointment as a temporary clerk in this office

at $1,200 per annum and expenses paid, and immediately enter upon an investigation of trespasses upon public lands in your Territory?

J. A. WILLIAMSON,
Commissioner.

Charge to General Land Office.

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104 D.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 22, 1877.

HENRY C. SESSIONS, *Ionia, Mich.:*

Could you accept an appointment as a temporary clerk in this office at $1,200 per annum and expenses paid, and immediately enter upon an investigation of trespasses upon public lands in your State?

J. A. WILLIAMSON,
Commissioner.

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105 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 23, 1877.

SIR: You being an employé of the Department of Justice, and having reported to the honorable Secretary of the Interior by direction of the honorable Attorney-General, to act under the direction of this office, with a view to suppressing depredations upon the timber on the public lands, the following instructions are hereby given:

You will proceed immediately to Colorado, and will there consult with the United States district attorney and co-operate with him and the United States marshal in pointing out and assisting to seize, under proper process, to be obtained by the United States district attorney, all logs or timber of any description cut from the public lands in said State of which you may have or can obtain knowledge, and you will, by such methods as may occur to you as being most speedy and practicable, procure such accurate and specific information as may be obtained with reference to the nature, cause, and amount of depredations upon the public timber in Colorado, the persons by whom and when the trespasses have been committed.

You will endeavor to obtain and give the names and residences of such trespassers, and also designate the land, if surveyed, by subdivision of section, giving township and range.

Where it is necessary to have copies of the plats, you will apply to the proper local land offices, and they will be furnished to you free of charge, this letter constituting the order for such action.

If the land upon which the trespass is committed is unsurveyed, describe the location by relation to natural objects or otherwise as well as possible.

You will make weekly reports to this office, giving full details of your action under these instructions, also giving in detail all the information

that you obtain in regard to trespasses on the public land. You will use all possible diligence and dispatch in seizing the timber cut on the public lands before the same is removed.

You will give special attention to ascertaining and reporting to the United States district attorney the names of witnesses by whom specific depredations can be proved.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

Col. L. PEYTON, *Washington, D. C.*

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106 D.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 24, 1877.

J. H. BAKER, *Surveyor-General, Saint Paul, Minn.:*

Appoint a competent deputy surveyor for service under United States district attorney.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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107 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 24, 1877.

SIR:-Under authority of department letter of the 18th instant (copy herewith), your name will be borne upon the rolls of this office, at a salary of $1,200 per annum, and you are hereby detailed to investigate in regard to trespasses upon the public lands of the United States in the Territory of Montana, by cutting and removing timber therefrom.

You are instructed to proceed immediately to the localities in this Territory where such trespasses are supposed to have been committed, and by the method that may occur to you as being the most speedy and practicable, procure such accurate and specific information as may be obtainable in reference to the nature, cause, and amount of such depredations, the persons by whom and when committed. Endeavor to give full names and residence of depredators. If the land upon which the trespass is committed has been surveyed, give township and range, and, if practicable, number of section and part of section; if unsurveyed, describe the location by relation to natural objects, or otherwise, as well as possible. When township plats are required to enable you to locate trespass, you will apply to the local officers of the land office of the district within which the lands are situated, who will furnish the same to you without charge. This letter will be your authority for making application and orders to the officers to furnish the same free of charge.

You will make out and transmit to this office weekly reports giving full details of all the information you obtain.

In addition to your salary as a clerk of this office you will be allowed your traveling and other necessary expenses.

In making up your account for expenses you will be governed by the inclosed department circular of July 1, 1874. All expenses must be entered in full under the proper date, and vouchers must be furnished for all expenditures in excess of $1, as they will not be allowed. No laundry bills will be allowed.

You will please notify me promptly of your acceptance, and take and subscribe the inclosed oath before a competent officer, and return the same to me.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

WM. NOWLAN, Esq., *Helena, Mont.*

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108 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 24, 1877.

SIR: Referring to my telegram of this date, directing you to appoint a competent deputy surveyor for service under the United States district attorney, I have to state that the deputy will be allowed a compensation of $5 per diem, with actually necessary expenses of himself and assistants.

You will instruct him to furnish vouchers whenever practicable, and will yourself certify his account, which must be duly sworn to. You will transmit the account to this office for settlement.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

J. H. BAKER, Esq.,
Surveyor-General, Saint Paul, Minn.

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109 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 24, 1877.

SIR: You are hereby requested to advance to Lucien Peyton the sum of $200 from the appropriation for contingent expenses, General Land Office, &c., 1878, to defray his expenses as special agent in investigating trespasses upon timber, &c., on public lands, he to account for the same to the United States Treasury, and his receipt shall be a sufficient voucher in the settlement of your account.

Respectfully, J. A. WILLIAMSON,
Commissioner.

RICHARD JOSEPH, *Disbursing Clerk.*

Approved.
——— ———, *Secretary.*

(The original copy of this letter in chief clerk's copy-book.)

110 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 25, 1877.

SIR: Under authority of department letter of the 18th instant (copy herewith), your name will be borne upon the rolls of this office at a salary of $1,200 per annum, and you are hereby detailed to investigate in regard to trespasses upon the public lands of the United States in the State of Florida by cutting and removing timber therefrom.

You are instructed to proceed immediately to the localities in said State where such trespasses are supposed to have been committed and, by the method that may occur to you as being the most speedy and practicable, procure such accurate and specific information as may be obtainable in reference to the nature, cause, and amount of such depredations, the persons by whom, and when, committed. Endeavor to give full names and residence of depredators. If the land upon which the trespass is committed has been surveyed, give township and range, and, if practicable, number of section and part of section; if unsurveyed, describe the location by relation to natural objects, or otherwise, as well as possible. When township-plats are required to enable you to locate trespass you will apply to the local officers of the land-office of the district within which the lands are situate, who will furnish the same to you without charge. This letter will be your authority for making application and order to the officers to furnish the same free of charge.

You will make out and transmit to this office weekly reports giving full details of all the information you may obtain. In addition to your salary as a clerk of this office you will be allowed your traveling and other necessary expenses.

In making up your account for expenses you will be governed by the inclosed department circular of July 1, 1874. All expenses must be entered in full under the proper date, and vouchers must be furnished for all expenditures in excess of $1, or they will not be allowed.

No laundry bills will be allowed.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

JOSEPH G. HESTER, Esq., *Washington, D. C.*

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111 D.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 25, 1877.

JOSEPH T. LONG (care of Judge Walter Q. Gresham),
(*New Albany, Ind.*:)

Could you accept an appointment as a temporary clerk in this office at $1,200 per annum and expenses paid, and immediately enter upon an investigation of trespasses upon public lands in Washington Territory? If Judge Gresham is absent, operator please forward, and Judge Gresham please forward to Long.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

112 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 27, 1877.

SIR: In compliance with instructions contained in letter of the 18th instant to this office from the department (copy herewith inclosed), you are hereby detailed to visit the State of Minnesota, to aid the investigation now going on there in regard to trespasses upon the public lands of the United States in said State by cutting and removing timber therefrom.

You will proceed immediately to Saint Paul, Minn., and report to Mr. E. A. Protois, a clerk of this office, who is detailed to act in said State, and who will have charge of the investigation. You will act under his directions, proceed to such localities, and take such steps as are thought proper and necessary.

In addition to your salary as a clerk of this office, you will be allowed your traveling and other necessary expenses. In making up your account for expenses, you will be governed by the inclosed department circular of July 1, 1874.

All expenses must be entered in full under the proper date, and vouchers must be furnished for all expenditures in excess of $1, or they will not be allowed. No laundry bills will be allowed.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

Dr. E. A. DUNCAN,
General Land Office, Washington, D. C.

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113 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 27, 1877.

SIR: I herewith transmit for your information a copy of a letter from E. A. Mason, esq., of Hope Villa, La., dated Washington, D. C., July 31, 1877, received at this office the 1st instant.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *New Orleans, La.*

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114 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 27, 1877.

SIR: Referring to your letter of the 13th of June last, with inclosures relative to timber-trespasses on the public lands in Utah Territory, you are advised that a copy of the same was transmitted to the honorable Secretary of the Interior with letter dated the 28th of June last, by

whom the matter was referred to the honorable Attorney-General. I herewith inclose for your information a letter from the honorable Secretary of the Interior, dated the 10th instant, with inclosures, from which you will observe that the subject has been referred by the honorable Attorney-General to the United States district attorney for Utah, who has made report thereon.

In compliance with directions contained in the letter of the honorable Secretary of the Interior of the 10th instant, you will accept the moneys tendered by Mr. Godbe, and make a thorough investigation of the trespasses committed by Messrs. Armstrong & Bailey, and report the result to this office.

You will please take action in the premises as early as possible.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

M. M. BANE, Esq.,
Receiver of Public Moneys, Salt Lake City, Utah.

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115 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 28, 1877.

SIR: There has been forwarded to this office for payment an account of $400 for preparing copies of eighty township maps. In order that a correct understanding may be had of the labor involved, you will please forward to this office a copy of one of these plats.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *New Orleans, La.*

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116 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 29, 1877.

SIR: Under authority of department letter of the 18th instant (copy herewith), your name will be borne upon the rolls of this office, at a salary of $1,200 per annum, and you are hereby detailed to investigate in regard to trespasses upon the public lands of the United States in Washington Territory by cutting and removing timber therefrom.

You are instructed to proceed immediately to the localities in said Territory where such trespasses are supposed to have been committed, and, by the method that may occur to you as being the most speedy and practicable, procure such accurate and specific information as may be obtainable in reference to the nature, cause, and amount of such depredations, the persons by whom and when committed. Endeavor to give full names and residences of depredators.

If the land upon which the trespass is committed has been surveyed, give township and range, and, if practicable, number of section and part of section; if unsurveyed, describe the location by relation to natural objects or otherwise as well as possible.

Where township-plats are required to enable you to locate trespass, you will apply to the local officers of the land-office of the district within which the lands are situate, who will furnish the same to you without charge. This letter will be your authority for making application and order to the officers to furnish the same free of charge.

You will make out and transmit to this office weekly reports, giving full details of all the information you may obtain.

In addition to your salary as a clerk of this office, you will be allowed your traveling and other necessary expenses.

In making up your account for expenses, you will be governed by the inclosed department circular of July 1, 1874. All expenses must be entered in full under the proper date, and vouchers must be furnished for all expenditures in excess of $1, or they will not be allowed.

You will please notify me promptly of your acceptance, and take and subscribe the inclosed oath before a competent officer, and return the same to me.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOS. T. LONG, Esq., *Washington, D. C.*

---

117 D.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 29, 1877.

J. A. PERKINS, *Lake Charles, La.:*

Mr. Carter will forward, without approval, any proposition you may have to make in regard to paying for the logs.

J. A. WILLIAMSON,
Commissioner.

Collect.

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118 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 30, 1877.

SIR: I inclose herewith, for your information, copies of letters of Jno. Watt and Jos. Flesheim, of the 22d and 23d instant, respectively, forwarded to this office by the register at Marquette, Mich., with letter of the 25th instant, in relation to trespasses upon the public lands in Menominee County, Michigan.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

H. C. SESSIONS, *Ion'a, Mich.*

119 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 31, 1877.

SIR: In compliance with directions contained in letter of the 18th instant to this office from the department (copy herewith inclosed), you are hereby detailed to visit the State of California to investigate in regard to trespass upon the public lands of the United States in said State by cutting and removing timber therefrom.

You are instructed to proceed immediately to the localities in said State where such trespasses are supposed to have been committed, and, by the methods that may occur to you as being the most speedy and practicable, procure such accurate and specific information as may be obtainable in reference to the nature, cause, and amount of such depredations, the persons by whom and when committed. Endeavor to give full names and residences of depredators.

If the land upon which the trespass is committed has been surveyed, give township and range, and, if practicable, number of section and part of section; if unsurveyed, describe the location by relation to natural objects, or otherwise, as full as possible.

When township-plats are required to enable you to locate trespass you will apply to the local officers of the land-office of the district within which the lands are situated, who will furnish the same to you without charge.

This letter will be your authority for making application and order to the officers to furnish the same free of charge.

You will make out and transmit to this office weekly reports giving full details of all the information you may obtain.

In addition to your salary as a clerk of this office you will be allowed your traveling and other necessary expenses. In making up your account for expenses you will be governed by the inclosed department circular of July 1, 1874. All expenses must be entered in full under the proper date, and vouchers must be furnished for all expenditures in excess of one dollar, or they will not be allowed. No laundry bills will be allowed.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

A. M. HOBBS, Esq., *Washington, D. C.*

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120 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 1, 1877.

SIR: I return herewith your account for services and expenses in investigating timber depredations in Colorado, and would inform you that the disbursing-officer of the department requires subvouchers to three of the items as indicated. Please to procure them and make out the account anew on the accompanying blank, sign the receipt attached, and return to this office, when a draft for the amount will be sent to you.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

A. S. WEBSTER, Esq., *Denver, Colo.*

121 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 1, 1877.

M. A. CARTER, *New Orleans, La.:*

Come to Washington.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

---

122 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 3, 1877.

SIR: I send you herewith inclosed, for your information, a copy of a letter addressed to this office by John Q. A. Rollins, dated Rollinsville, August 27, 1877, relative to depredations upon the timber upon the public lands in the Central City land-district.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

LUCIEN PEYTON, Esq., *Denver, Colo.*

---

123 D.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 3, 1877.

S. D. HOUSTON, *Concordia, Kans.:*

Can you start for Oregon in three days from this date to investigate trespass on public timber, acting under instructions mailed you on receipt of your reply?

You will be allowed $100 a month and expenses. No advance of money can be made. Money will be sent when you have earned as salary or paid for expenses.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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124 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 5, 1877.

SIR: In accordance with the recommendation from this office, of the 16th August, 1877, and the approval of the department, in letter to this

office, under date of the 18th of the same month, the States and Territories containing public lands were divided into four divisions, and the following-named States, viz, Arkansas, Mississippi, Louisiana, Alabama, and Florida, will constitute and be known as the "Southern division," and you are hereby assigned to the charge of this division, and instructed that the operations carried on under the direction of this bureau for the suppression of depredations upon the timber upon the public lands of the United States within said division will be under your supervision.

Under date of the 23d and 25th of August respectively, James Bell and Joseph G. Hester were detailed to proceed to Florida, and have gone to that State to engage in the investigation of trespass on the timber on the public lands; also Mr. Valentine Dell has been detailed (August 24, 1877) to operate within the State of Arkansas. These gentlemen will be under your directions, and will be so instructed when their address is known to this office.

Messrs. R. S. Bartley and D. W. Smith will report to you for such duty as you may see proper to assign them within the division under your charge. You are authorized to employ such further assistance as you may deem necessary for work within your division, always bearing in mind that, in view of the small appropriation, it will be necessary to study economy.

These instructions contemplate that the gentlemen who are detailed and instructed from this office to act within your division, should make their weekly reports, as they have been directed, to this office; but they will be subject to your orders for any action you may deem proper, and this letter will be evidence of your authority.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *Washington, D. C.*

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125 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 6, 1877.

SIR: In accordance with the recommendation from this office of the 16th ultimo, and the approval of the department in letter to this office, dated the 18th ultimo, the States and Territories containing public lands were divided into four divisions, and the following-named States, viz, Arkansas, Mississippi, Louisiana, Alabama, and Florida, constitute and will be known as the "Southern Division." Mr. M. A. Carter, whose address is Saint Charles Hotel, New Orleans, La., has been assigned to the charge of this division, and all operations carried on under the direction of this bureau for the suppression of depredations upon the timber upon the public lands of the United States within said division will be under his supervision.

Upon receipt of this you will furnish Mr. Carter with your post-office and telegraphic address, and will execute any orders that you may receive from him.

You will make your weekly reports, and in all respects comply with the instructions given you from this office under date of the 24th ultimo,

except so far as the execution of any direction given by Mr. Carter may require your services otherwise.

Respectfully, J. A. WILLIAMSON,
Commissioner.

V. DELL, Esq., *Fort Smith, Ark.*

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126 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 6, 1877.

SIR: In accordance with recommendation from this office of the 16th ultimo, and the approval of the department in letter to this office dated the 18th ultimo, the States and Territories containing public lands were divided into four divisions, and the following-named States, viz, Arkansas, Mississippi, Louisiana, Alabama, and Florida constitute and will be known as the "Southern Division." Mr. M. A. Carter has been assigned to the charge of this division, and all operations carried on under the direction of this bureau for the suppression of depredations upon the timber upon the public lands of the United States within said division will be under his supervision.

Under authority of department letter of the 18th ultimo, your name will be borne upon the roll of this office at a salary of $1,200 per annum, and you are hereby detailed to investigate trespasses upon the public lands of the United States within the Southern Division.

You will report to Mr. Carter, who is at present in this city, and whose address hereafter will be the Saint Charles Hotel, New Orleans, La., who will instruct you where to proceed. You will be under his supervision and will execute any orders that you may receive from him.

In the execution of your duties you are expected to procure such accurate and specific information as may be obtainable in reference to the nature, cause, and amount of the depredations upon the public timber, and the persons by whom, and when committed. Endeavor to give full names and residence of depredators. Give township and range of land upon which the trespass is committed, if practicable, also number of section and part of section.

When township-plats are required to enable you to locate trespass, you will apply to the local officer of the land-office of the district within which the lands are situated, who will furnish the same to you without charge.

This letter will be your authority for making application and order to the officers to furnish the same free of charge.

You will make out and transmit to this office weekly reports giving full details of all the information you may obtain.

In addition to your salary as a clerk of this office, you will be allowed your traveling and other necessary expenses.

In making up your account for expenses, you will be governed by the inclosed department circular, of July 1, 1874. All expenses must be entered in full under the proper date, and vouchers must be furnished for all expenditures in excess of one dollar.

You will please notify me promptly of your acceptance, and take and subscribe the inclosed oath before a competent officer, and inclose the same to me.

Respectfully, J. A. WILLIAMSON,
Commissioner.

R. S. BARTLEY, Esq., *Washington, D. C.*

127 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 6, 1877.

SIR: In accordance with recommendation from this office of the 16th ultimo, and the approval of the department in letter to this office dated the 18th ultimo, the States and Territories containing public lands were divided into four divisions, and the following-named States, viz, Arkansas, Mississippi, Louisiana, Alabama, and Florida, constitute and will be known as the "Southern Division." Mr. M. A. Carter has been assigned to the charge of this division, and all operations carried on under the direction of this bureau for the suppression of depredations upon the timber upon the public lands of the United States within said division will be under his supervision. Under authority embraced in department letter of the 18th ultimo, your name will be borne upon the roll of this office at a salary of $1,200 per annum, and you are hereby detailed to investigate trespasses upon the public lands of the United States within the Southern Division.

You will report to Mr. Carter, who is at present in this city, and whose address hereafter will be the Saint Charles Hotel, New Orleans, La., who will instruct you where to proceed. You will be under his supervision and will execute any orders that you may receive from him.

In the execution of your duties you are expected to procure such accurate and specific information as may be obtainable in reference to the nature, cause, and amount of depredations upon the public timber, and the persons by whom, and when committed. Endeavor to give full names and residence of depredators.

Give township and range of land upon which the trespass is committed, if practicable, also number of section and part of section. When township-plats are required to enable you to locate trespass, you will apply to the local officers of the land-office of the district within which the lands are situated, who will furnish the same to you without charge.

This letter will be your authority for making application and order to the officers to furnish the same free of charge. You will make out and transmit to this office weekly reports, giving full details of all the information you may obtain.

In addition to your salary as a clerk of this office, you will be allowed your traveling and other necessary expenses.

In making up your account for expenses you will be governed by the inclosed department circular of July 1, 1874. All expenses must be entered in full under the proper date, and vouchers must be furnished for all expenditures in excess of one dollar.

You will please notify me promptly of your acceptance, and take and subscribe the inclosed oath before a competent officer and inclose the same to me.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

D. W. SMITH, Esq., *Washington, D. C.*

128 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 6, 1877.

SIR: In accordance with the recommendation from this office of the 16th ultimo, and the approval of the department in letter to this office dated the 18th ultimo, the States and Territories containing public lands were divided into four divisions, and the following-named States, viz, Arkansas, Mississippi, Louisiana, Alabama, and Florida, constitute and will be known as the Southern Division." Mr. M. A. Carter, whose address is Saint Charles Hotel, New Orleans, La., has been assigned to the charge of this division, and all operations carried on under the direction of this bureau for the suppression of depredations upon the timber upon the public lands of the United States within said division will be under his supervision.

Upon receipt of this you will furnish Mr. Carter with your post-office and telegraphic address, and will execute any orders that you may receive from him.

You will make your weekly reports and in all respects comply with the instructions given you from this office under date of the 23d ultimo, except so far as the execution of any directions given by Mr. Carter may require your services otherwise.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

JAMES BELL, Esq., *Gainesville, Fla.*

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129 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

SIR: I return you herewith plat of township number 5 south, of range 12 east, Greensburg land-district, Louisiana, which was submitted by you to this office. I also inclose list of the names of the homestead settlers in said township taken from the tract-book in this office.

You will cause an investigation to be made to ascertain whether these settlements have been made in good faith, or for the purpose of cutting and removing timber, and report the result to this office.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *Washington, D. C.*

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130 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

SIR: I have received your letter of the 3d instant, in which you state that you have completed homestead entry of the east half of the north-

west quarter section 6, in township 34, range 2 east, and that during the winter of 1876 piece timber was cut off of said land by a Mr. Levet, and sold to various parties, and you wish to know in regard to bringing action for the timber.

In reply, you are advised that this is a matter concerning which you should consult a local attorney, as there are questions involved that are not properly subject to answer by this office.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

CHRISTIAN SMITH, *Oshkosh, Wis.*

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131 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

SIR: A copy of your telegram of the 3d instant, stating that it is the opinion of the United States district attorney of Colorado that when timber cut from the public lands is in the possession of parties claiming it, the only proceeding which can be commenced to get possession is by replevin, and asking if there is not some law or regulation by which a seizure can be summarily made, was referred by me to the honorable Secretary of the Interior, and in letter of the 6th instant to this office he states that he knows of no civil process by which possession of the logs, or other property, in possession of a person claiming it, can be obtained except the writ of replevin. He suggests, however, proceeding in trover as the better action in all cases where the parties having possession of such property are responsible.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

L. PEYTON, Esq., *Denver, Colo.*

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132 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

[Telegram.]

L. PEYTON, Esq., *Denver, Colo.:*

Secretary suggests proceedings in trover as the better action in all cases where the parties having possession of such property are responsible.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

133 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

SIR: To enable proper preservation of files and records, and for convenience of action in this office, you will inclose your account for salary and expenses in letters relative only thereto.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

JOS. T. LONG, Esq., *Olympia, Wash.*

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134 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

SIR: To enable the proper preservation of files and records and for convenience of action in this office, you will inclose your account for salary and expenses in letters relative only thereto.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

JAMES BELL, Esq. (care of Register and Receiver),
Gainesville, Fla.

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135 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

SIR: To enable proper preservation of files and records and for convenience of action in this office, you will inclose your account for salary and expenses in letters relative only thereto.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

L. PEYTON, Esq., *Denver, Colo.*

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136 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

SIR: To enable proper preservation of files and records and for convenience of action in this office, you will inclose your account for salary and expenses in letters relative only thereto.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

VALENTINE DELL, Esq., *Fort Smith, Ark.*

137 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

SIR: To enable proper preservation of files and records and for convenience of action in this office, you will inclose your account for salary and expenses in letters relative only thereto.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

Dr. E. A. DUNCAN (care of E. A. Protois, Esq.),
Saint Paul, Minn.

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138 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

SIR: To enable proper preservation of files and records and for convenience of action in this office, you will inclose your account for salary and expenses in letters relative only thereto.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

A. M. HOBBS, Esq. (care of Register and Receiver),
Land Office, San Francisco, Cal.

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139 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

SIR: You are hereby authorized and directed to make a thorough investigation of the United States land-office at New Orleans, La., and on the exhibition of this letter to the register and receiver they are directed to place at your disposal and to give you access to all the records and files of said office.

You will report the result at your earliest convenience. You are also authorized to investigate either or both of the other local United States land-offices in the State of Louisiana, or any or all of the local United States land-offices in the following States, viz, Arkansas, Mississippi, Alabama, and Florida, if it shall appear to you from any facts that may come to your knowledge that there is a necessity for the same; and you can exhibit this letter to the officers in charge as evidence of your authority to make such investigation, and they are hereby directed to place at your disposal, and give you access to, all the records and papers of such office.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *Washington, D. C.*

140 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

SIR: I have received your letter of the 1st instant, with which you submit reports of two cases of timber-trespass, and also your account for expenses, which will be audited and a draft sent you.

I note the plan that you suggest for investigating the timber-depredations in the State of Michigan, by employment of experienced woodsmen, and would be glad to adopt the same, but the fund for the payment of expenses is so limited that I will not be able to do so. Your services are all that the fund will enable me to use in Michigan until further appropriation. There are no envelopes that are adapted for your use. You can purchase such as are necessary for your correspondence. I inclose herewith six ($6) dollars' worth of Department of the Interior postage-stamps, which you can use in payment of postage on official matter. In future, inclose your expense and salary accounts in letters addressed to the Commissioner General Land Office, relating only thereto, as this is necessary in order to preserve the files and records in proper shape, and to enable appropriate action in this office.

I send you inclosed blanks to make out vouchers for your salary.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

H. C. SESSIONS, Esq., *Ionia, Mich.*

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141 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

SIR: In accordance with the recommendation from this office of the 16th ultimo, and the approval of the department embraced in letter to this office dated the 18th ultimo, the States and Territories containing public lands were divided into four divisions, and the following-named States, viz, Arkansas, Mississippi, Louisiana, Alabama, and Florida, constitute and will be known as the Southern Division. Mr. M. A. Carter, whose address is Saint Charles Hotel, New Orleans, La., has been assigned to the charge of this division, and all operations carried on under the direction of this bureau for the suppression of depredations upon the timber upon the public lands of the United States within said division will be under his supervision. Upon receipt of this you will furnish Mr. Carter with your post-office and telegraphic address, and will execute any orders that you may receive from him.

You will make your weekly reports, and in all respects comply with the instructions given you from this office under date of the 25th ultimo, except so far as the execution of any direction given by Mr. Carter may require your services otherwise.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

JOS. G. HESTER, Esq.,
Live Oak, Suwannee County, Fla.

142 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 7, 1877.

[Telegram.]

S. D. HOUSTON, *Concordia, Kans.:*

Eighteenth is too late. Another has been selected.

J. A. WILLIAMSON,
Commissioner.

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143 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 8, 1877.

SIR: You are advised that the letter signed by George Lock and others, dated New Orleans, La., August 21, 1877, filed by you in this office, and also petition of Daniel Goos and others, forwarded to this office by United States Marshal Wharton, relative to a settlement for a portion of the logs which have been seized in Calcasieu Parish, were transmitted by me to the honorable Secretary of the Interior with letter dated the 4th instant, and I herewith inclose to you copy of a letter to this office from the Honorable Secretary returning said papers, in which, you will observe, he states that he does not conceive it to be his duty to authorize any settlement for logs less than their fair valuation.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

J. L. BRADFORD, Esq., *Washington, D. C.*

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144 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 8, 1877.

[Telegram.]

H. M. SCOTT, No. 674 North Delaware Street,
Indianapolis, Ind.:

Instructions mailed to-day. How soon can you start for Oregon?

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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145 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 8, 1877.

SIR: I inclose herewith, for your information, a copy of a letter from the honorable Secretary of the Interior, dated the 6th instant, rel-

ative to the application made by Daniel Goos and others for settlement in regard to a portion of the logs seized in Calcasieu Parish. A copy has also been sent to the United States marshal.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq.,
Saint Charles Hotel, New Orleans, La.

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146 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 8, 1877.

SIR: The petition signed by Daniel Goos and others, transmitted by you to this office with letter dated the 18th ultimo, relative to settlement for logs seized in Calcasieu Parish, together with a letter from George Lock and others, was forwarded to the honorable Secretary of the Interior by letter from this office dated the 4th instant. For your information I inclose herewith a copy of the Secretary's reply dated the 6th instant.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

Hon. JACK WHARTON,
U. S. Marshal, New Orleans, La.

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147 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 10, 1877.

SIR: I have received your letter of the 5th instant, making application to be appointed to investigate in regard to trespass upon the timber upon the public lands. In reply, you are advised that there are already employed as large a number of persons as the limited appropriation which can be used to pay the expenses will provide for. I am therefore compelled to deny your application.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

HENRY H. STERLING, Esq.,
English P. O., Menomonee County, Mich.

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148 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 10, 1877.

SIR: I inclose herewith, for your information, a copy of letter addressed to this office by Henry H. Sterling, dated English P. O., Meno-

monee County, Mich., September 5, 1877, making application for appointment to investigate in regard to trespass upon timber upon the public lands of the United States. Mr. Sterling has been advised by letter of this date that there is already employed as large a number of persons as the limited appropriation which can be used to pay the expenses will provide for, and that therefore his application must be denied.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

H. C. SESSIONS, Esq., *Ionia, Mich.*

---

149 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 11, 1877.

SIR: August 25, 1877, there were received at this office seventy-eight invoices of pine logs and two invoices of railroad-ties which had been seized in Calcasieu Parish. Yesterday there were received by express, directed to your address, one hundred and five copies of invoices of pine logs and two copies of invoices of railroad-ties under seizure in Calcasieu Parish.

Upon examination, I find that seventy-nine of these are copies of the same number of those first received, and that twenty-eight are copies of different and additional invoices to those received before, and that one of those first received is not embraced in the copies received yesterday, viz, 3,970 logs, package No. 1.

Previous to the receipt of the package of yesterday, copies had been made of the invoices received August 25, 1877.

As being the speediest and best method of adjusting much of this matter, I send you by mail to-day all the invoices and copies, so that you can inspect them and return them that should be to this office.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq.,
Saint Charles Hotel, New Orleans, La.

---

150 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 11, 1877.

M. A. CARTER,
Saint Charles Hotel, New Orleans, La.:

Orders have been issued to place at disposal of marshal revenue-cutter Dix, to be used at Lake Charles.

J. A. WILLIAMSON,
Commissioner.

Charge to General Land Office.

151 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 12, 1877.

SIR: I inclose herewith for your information a copy of a letter from James Bell, dated Cedar Keys, Fla., September 4, 1877.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

JOS. G. HESTER, Esq.,
Special Agent General Land Office, Live Oak, Fla.

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152 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 12, 1877.

SIR: I have the honor to acknowledge the receipt, by reference from you, of a letter addressed to you by Hon. Angus Cameron, of Wisconsin, dated August 3, 1877, and also one addressed to me from him of same date, recommending the appointment of Mr. E. L. Brockway, of Black River Falls, in that State, to look after depredations upon the public timber.

You indorse and heartily commend Mr. Brockway for such an appointment, and I would be pleased to give it to him, but the appropriation which can be used to defray the expenses of appointees for this service is very limited, and there already is comparatively so large a force employed that it will be very soon exhausted, and does not admit of further appointments.

If Congress shall make further appropriation for this service, I will bear in mind the name of Mr. Brockway, if further appointments are made.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

Hon. GEO. W. MCCRARY,
Secretary of War.

---

153 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 12, 1877.

SIR: I acknowledge receipt of your letter of the 6th instant, reporting the replevy by the marshal of between seventy and one hundred thousand railroad-ties lying near the town of Boulder, claimed by David H. Moffatt, jr., and John J. Bush.

I wrote and telegraphed you under date of the 7th instant that the honorable Secretary had written that he knew of no civil process by which possession of logs, or other property, in possession of a person

claiming them, can be obtained, except the writ of replevin, but that he suggested proceedings in trover as the better action in all cases where the parties having possession of said property are responsible.

In regard to the closing of saw-mills on the public lands, I do not see the necessity for such action. Proper action will be to replevy all logs and lumber at such saw-mills cut from the public lands of the United States.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

L. PEYTON, Esq., *Special Agent, Denver, Colo.*

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154 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 13, 1877.

SIR: I inclose herewith an order from the honorable Secretary of the Interior, to Dr. Richard Joseph, disbursing-clerk of the department, to advance to you from the contingent appropriation of this office, the sum of $100, on account of expenses incident to the service in which you are engaged.

Please sign the attached receipt and return the same to this office, when a draft for the above amount will be forwarded you.

Respectfully,

U. J. BAXTER,
Acting Commissioner.

Dr. E. A. DUNCAN, *Saint Paul, Minn.*

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155 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 14, 1877.

SIR: I inclose herewith for your information copy of a letter without date, addressed to the honorable Secretary of the Interior, by the Hon. S. F. Phillips, Acting Attorney-General, advising that the reports as to the trespasses on public lands committed by Samuel Woolbridge and Thomas K. Hurley (transmitted with your letter of the 1st instant), have been forwarded to the United States district attorney for the western district of Michigan, with directions to investigate the case, and if the facts shall warrant such a course, to prosecute the parties guilty of such trespasses, both civilly and criminally.

Respectfully,

U. J. BAXTER,
Acting Commissioner.

H. C. SESSIONS, Esq.,
Special Agent, General Land Office.

156 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 15, 1877.

[Telegram.]

CHARLES A. MORTON, Esq., *Saint Paul, Minn.:*

Proper instructions sent Protois relative to Finley.

U. J. BAXTER,
Acting Commissioner.

Collect.

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157 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 17, 1877.

J. H. BAKER,
Surveyor General, Saint Paul, Minn.:

Appoint another deputy for service under United States attorney.

U. J. BAXTER,
Acting Commissioner.

Charge General Land Office.

---

158 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 17, 1877.

E. A. PROTOIS, *Saint Paul, Minn.:*

Surveyor-general has been telegraphed to appoint another deputy.

U. J. BAXTER,
Acting Commissioner.

Charge General Land Office.

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159 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 17, 1877.

SIR: I have received your letter of the 3d instant, inclosing oath duly subscribed and sworn to by you.

I send you herewith inclosed blanks, with form of execution indicated upon one, of vouchers to obtain your salary; also, six ($6) dollars' worth of Department of the Interior postage-stamps, for use in payment of postage upon official matter.

Respectfully,

U. J. BAXTER,
Acting Commissioner.

WILLIAM NOWLAN, Esq., *Helena, Mont.*

166 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 19, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

Bid a sufficient sum on each log to protect the interest of the government, as indicated to you verbally by the Secretary.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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167 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 20, 1877.

SIR: Under authority of department letter of the 18th ultimo (copy herewith), your name will be borne upon the rolls of this office at a salary of $1,200 per annum, and you are hereby detailed to investigate in regard to trespasses upon the public lands of the United States in the Territory of Arizona and the State of California by cutting and removing timber therefrom.

I herewith inclose copy of a communication from John Wasson, esq., surveyor-general of Arizona, in which he transmits a copy of a letter from Mr. Henry Lesinsky, manager of and principal owner in the Longfellow Copper Mining Company, at Clifton, Ariz., which company he states employs directly and indirectly about one thousand men, and that they are using timber cut from the public lands. Mr. Lesinsky addressed the surveyor-general, wishing to know whether there is authority for him to purchase wood from the public land. Under existing laws there is no such authority, and you will therefore proceed to investigate, and make a report in regard to cutting of timber by this company.

Afterward you are instructed to proceed to localities in said Territory of Arizona and State of California, where trespasses are supposed to have been committed, and, by the method that may occur to you as being the most speedy and practicable, procure such accurate and specific information as may be obtainable in reference to the nature, cause, and amount of such depredations, the persons by whom, and when, committed. Endeavor to give full names and residence of depredators.

If the land upon which the trespass is committed has been surveyed, give township and range, and, if practicable, number of section and part of section; if surveyed, describe the location by relation to natural objects, or otherwise, as well as possible. When township plats are required to locate trespass, you will apply to the local officers of the district within which the lands are situate, who will furnish the same to you without charge. This letter will be your authority for making application and order to the officers to furnish the same free of charge.

You will make out and transmit to this office weekly reports, giving full details of all the information you may obtain.

In addition to your salary as a clerk of this office, you will be allowed your traveling and other necessary expenses.

In making up your account for expenses, you will be governed by the inclosed department-circular of July 1, 1874. All expenses must be entered in full under the proper date, and vouchers must be furnished for all expenditures in excess of $1, or they will not be allowed.

To enable proper preservation of files and records, and for convenience of action in this office, you will inclose your accounts for salary and expenses in letters relative only thereto. You are instructed to make and transmit your reports in duplicate. Keep this office advised of your post-office and telegraphic address. I inclose herewith six dollars' worth of Department of the Interior postage-stamps, which you can use in payment of postage on official matter.

You will please notify me promptly of your acceptance, and take and subscribe the inclosed oath before a competent officer, and return the same to me.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

LEWIS H. REDFIELD, Esq., *Washington, D. C.*

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168 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 20, 1877.

SIR: You are instructed to make and transmit your reports in duplicate. Keep this office advised of your post-office and telegraphic address.

J. A. WILLIAMSON,
Commissioner.

Col. L. PEYTON, *Denver, Colo.*

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169 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 20, 1877.

[Telegram.]

JACK WHARTON,
United States Marshal, or any of his deputies, Lake Charles, La.:

I do not hear from Carter. Is he there? If not, who represents the government? If no one, adjourn sale from day to day until an agent arrives.

By order of the Secretary.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

170 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 21, 1877.

GENTLEMEN: I send you herewith inclosed a copy of a communication from Edwin R. Parks, dated Escanaba, Mich., September 17, 1877; also copy of sworn statement inclosed by him, relative to his action as "late deputy timber-agent."

I also inclose herewith a copy of his account for services, which was forwarded with your letter of the 21st of February last.

You will please report to this office whether you wish to make any modification or change in your expression in regard to said account.

Also please report in regard to the final settlement of the timber case referred to in these papers.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER,
United States Land Office, Marquette, Mich.

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171 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 22, 1877.

SIR: I am informed that D. J. Evans, esq., of Mechanics' Block, Detroit, Mich., formerly trespass agent for the State of Michigan, has in his possession and will furnish valuable information concerning depredations upon timber upon the public lands in that State.

You are, therefore, hereby instructed to call upon Mr. Evans with the view to obtaining any information he may have upon the subject, and report the same to this office.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

H. C. SESSIONS, Esq., *Ionia, Mich.*

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172 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 22, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

If there are no bidders buy in the logs. If there are bidders bid a sufficient amount on each log to fully protect the interest of the government.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

173 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 22, 1877.

GENTLEMEN: I have received your communication of the 10th inst., relative to making the investigation in regard to trespass upon public timber, and other matters in Oneida County, Idaho Territory. I do not think it proper to authorize a trip from Boise City to that locality, as investigation can be made at very much less expense by sending some one from the railroad.

Respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER,
United States Land Oce, Boise Cffiity, Idaho.

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174 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 22, 1877.

SIR: I have been advised by a friend of yours that you have in your possession much information noted by you while you were agent for the State of Michigan, to detect trespass on State lands, in regard to trespass upon the public lands belonging to the United States in said State.

H. C. Sessions, Esq., of Ionia, Mich., is employed and authorized by this office to make investigation in regard to trespass upon timber upon public lands of the United States in Michigan, and a letter has this day been addressed to him, stating that you are in possession of valuable information on this subject, and he has been directed to call upon you in relation thereto.

If you will place him in possession of such information as you have when he calls upon you, and give any aid in any way that you may be able in regard to the same, you will receive my thanks, and if your time and services are necessarily involved you shall receive proper compensation.

Respectfully, J. A. WILLIAMSON,
Commissioner.

D. J. EVANS, Esq., *Mechanic's Block, Detroit, Mich.*

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175 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 22, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

Revenue cutter Dix has been ordered to Lake Charles.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

176 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 22, 1877.

SIR: Your letter of the 17th instant has been received, and in reply I would state that the register and receiver, Marquètte, Mich., have been furnished a copy of your statement, and instructed to report in regard to the same.

When their report is received appropriate action will be taken and you will be duly advised.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

EDWIN R. PARKS, Esq., *Escanaba, Mich.*

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177 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 25, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

What is the lowest and what the average price at which the logs sold? Interior Department burnt yesterday.

J. A. WILLIAMSON,
Commissioner.

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178 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 27, 1877.

SIR: Referring to office letter to you of the 19th instant, inclosing copy of letter from E. D. Morgan & Co., dated New York, September 14, 1877, and copies of inclosed affidavits to the effect that the statements made that seizures were *not* made in Texas are incorrect, in regard to which you were directed to report, I send you inclosed herewith a copy of another letter from E. D. Morgan & Co., dated New York, September 18, 1877, upon the same subject.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *Lake Charles, La.*

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179 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 27, 1877.

SIR: Your letter of the 22d instant, relative to notice which you inclose, given by E. J. Brooks, special agent, to John Craig, not to cut

timber from lands claimed by Mr. Arnold, has been received. Please furnish a description of the land.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

R. P. BISHOP, Esq., *Ludington, Mich.*

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180 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 27, 1877.

SIR: Your letter of the 17th instant, relative to the claim of John P. Flynn, for services and expenses as timber-agent, has been received.

Without deciding upon the merits of this claim, you are advised that there are no funds applicable for its payment.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

MAURICE M. KAIGN, Esq., *Salt Lake City, Utah.*

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181 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 27, 1877.

GENTLEMEN: The register's letter of the 10th instant has been received, inclosing account of Keener & Wilson for legal services in case of United States *vs.* James H. Berry, of Yellville, Ark., seizure of timber and lumber, by D. B. Jenigan, in 1874 and 1875.

Section 189 of the Revised Statutes of the United States is as follows, viz:

> No head of a department shall employ attorneys or counsel at the expense of the United States, but when in need of counsel or advice shall call upon the Department of Justice, the officers of which shall attend to the same.

This account cannot therefore be paid.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER
United States Land Office, Harrison, Ark.

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182 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 28, 1877.

SIR: Your letter of the 18th instant, with inclosures from J. C. Gallaher, of Live Oak, Fla., and R. B. Davenport, of New York, have been received, by reference, from W. R. Irwin.

You are directed to confine your attention strictly to the duties for which you were detailed and as defined by your instructions of August 23, 1877.

The more you avoid publicity of your action the more likely you will be to render your work efficient.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

JAMES BELL, Esq., *Cedar Keys, Fla.*

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183 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 28, 1877.

GENTLEMEN: I inclose herewith a copy of a letter addressed to this office by William Heeser, dated Mendicino, Cal., September 12, 1877, and copy of inclosed sworn application of Boy Peter Ruloff Kaisen for permission to sell timber cut from the southeast quarter of section 6, township 16 north, range 16 west, Mount Diablo meridian, upon which said Kaisen has made homestead entry No. 2242, dated April 3, 1877.

Relative thereto, I have to state that only such timber can be properly cut from said land as is necessary in clearing the same for agricultural purposes and in the construction of proper improvements thereon.

As there has been much spoliation of timber under the guise of settlement, too great care cannot be exercised in rulings or instructions upon the subject.

You will please communicate with Mr. Kaisen and ascertain that the land upon which he has settled is adapted for agriculture, and caution him that any cutting and removal of timber, which indicates that the purpose is for sale alone, will render him liable to legal proceedings on the part of the United States.

Respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER
United States Land Office, San Francisco, Cal.

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184 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 29, 1877.

SIR: I inclose herewith a copy of a letter from the Hon. Secretary of the Interior, dated the 28th instant, and, in compliance with the direction therein contained, you are hereby instructed to report whether the northwest quarter of southeast quarter and northeast quarter of southwest quarter of section 25, township 18 north, range 16 west, mentioned in your report No. 7, were valuable mainly for pine-timber thereon.

Very respectfully,
J. A. WILLIAMSON,
Commissioner.

H. C. SESSIONS, Esq., *Ionia, Mich.*

185 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 29, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

What price do you think can be obtained for the logs? What did those sold to outside parties bring, on an average?

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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186 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 1, 1877.

SIR: Your communication of the 21st ultimo has been received, and in reply you are instructed to study economy in your expenditures, as the fund applicable for the payment is very limited and will soon be exhausted. Your own expenses are all that can be paid from the fund under the control of this office, and you will not entertain any proposition to in any manner pay the expenses of the United States marshal, or any other person connected with the judicial branch of the government.

"You will have to exercise discretion as to the length of journeys you may take as to whether they can be made profitable. Your attention is called to the language of your instructions of August 23 last, viz:

"You will proceed immediately to Colorado and will there consult with the United States district attorney, and co-operate with him and the United States marshal in pointing out and assisting to seize under proper process to be obtained by the United States district attorney, all logs or timber of any description cut from the public lands in said State, of which you may have or can obtain knowledge, and you will by such methods as may occur to you as being most speedy and practicable, procure such accurate and specific information as may be obtained with reference to the nature, cause, and amount of depredations upon the public timber in Colorado; the persons by whom, and when, the trespasses have been committed. You will endeavor to obtain and give the names and residences of such trespassers, and also designate the land, if surveyed, by subdivision of section, giving township and range."

You will conform your action strictly thereto. When you have furnished information and assistance to the judicial officers your responsibility ends, and they are then responsible for their own action or inaction.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

L. PEYTON, Esq., *Denver, Col.*

187 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 1, 1877.

SIR: I have received your letter of the 10th ultimo, by reference from the honorable Secretary of the Interior, in which you make inquiry in regard to cutting timber upon unsurveyed land.

In reply, you are advised that there is no authority of law for cutting or removing timber from the public lands of the United States, either surveyed or unsurveyed, and that there is no authority for receiving payment for "stumpage."

Any one cutting and removing timber from such lands, whether surveyed or unsurveyed, renders himself liable to legal proceedings, both civil and criminal, on part of the United States.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

C. P. CONVERSE, Esq., *Visalia, Cal.*

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188 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 2, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

Cannot instruct you until you have informed me of the approximate price you can probably get per log in the several localities where situated.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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189 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 2, 1877.

[Telegram.]

Hon. BENJAMIN HARRISON,
Wright's Block, Market Street, Indianapolis, Ind.:

Did Maj. Henry M. Scott receive instructions of 8th September? Where is he, and what has he done?

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

190 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 2, 1877.

SIR: For your information, I send you herewith inclosed a copy of a communication, dated the 22d ultimo, from the Department of Justice to the honorable Secretary of the Interior, stating that Mr. Burch, United States district attorney, had been directed to institute legal proceedings against Horace L. Perkins and William A. Rounds.

The action of these parties in making entries of land was stated in your reports numbered 3 and 4.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

H. C. SESSIONS, Esq., *Ionia, Mich.*

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191 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 3, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

By order of the Secretary of the Interior you are authorized to sell the logs at prices not below those named in your telegram of yesterday. You will, of course, get as much more as you can.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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192 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 4, 1877.

GENTLEMEN: I have received the receiver's letter of the 24th ultimo, transmitting a communication from John S. McCool, esq., dated "Red Butte, Wyo., September 20, 1877," who states that he has formerly paid stumpage for ties gotten by him and turned over to the railroad company, and that he desires to pay in future all that may be required by the government for "ties, wood, poles, and posts." In reply, you are advised that there is no authority of law for cutting or removing timber from the public lands of the United States, and this office cannot, therefore, authorize such action.

You will report whether Mr. McCool has any timber, of any character, cut in that locality, and if so, where and what quantity; and you will also notify him that any cutting or removing of timber by him from the

public lands will render him liable to legal proceedings by the United States.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Cheyenne, Wyo.*

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193 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 4, 1877.

SIR: I transmit herewith inclosed a copy of a letter from George W. Kendall, commissioner United States circuit court, dated "Shreveport, La., September 27, 1877," relative to depredations upon public timber in that locality.

You are instructed to send some one to Shreveport as soon as possible to investigate in regard to these alleged trespasses.

Very respectfully,
J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *Lake Charles, La.*

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194 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 6, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

Troops will not be removed. Sufficient force for full protection will be retained until timber is disposed of.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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195 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 9, 1877.

SIR: For your information, I send you herewith inclosed a copy of a communication dated the 3d instant, from the Attorney-General to the honorable Secretary of the Interior, relative to action to be taken by Mr. Burch, United States district attorney, to recover money said to have been received by J. H. Standish, late United States district attorney.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

H. C. SESSIONS, Esq., *Ionia, Mich.*

196 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 9, 1877.

SIR: I transmit, herewith inclosed, a copy of a letter from W. W. Standefer, United States marshal district of Arizona, dated "Prescott, Ariz., September 20, 1877," relative to depredations upon public timber in that locality.

You are hereby instructed to communicate with Mr. Standefer with a view of obtaining any information he may have upon this subject, make investigation in regard to the same, and report to this office.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

LEWIS H. REDFIELD, Esq., *Yuma, Yuma County, Ariz.*

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197 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 10, 1877.

SIR: I have received your letter of the 5th instant, in which you say that should the department offer suitable inducement in pay you would willingly act as an agent for the suppression of depredations upon the timber upon the public lands.

In reply, I would say the appropriation which can be used to defray the expenses of agents for this service is very limited, and there already is comparatively so large a force employed that it will be very soon exhausted, and does not admit of further appointments.

A map of the United States, prepared by this office, will be mailed you as soon as there is one available, the present supply on cloth being exhausted.

The postal map is prepared and distributed by the Post-Office Department.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

D. J. EVANS, Esq., *Mechanics' Block, Detroit, Mich.*

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198 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 11, 1877.

SIR: At the suggestion of E. A. Protois, esq., detailed clerk of this office, I send you herewith inclosed a statement from the tract-books in the General Land Office, showing the tracts disposed of in township 144, of range 25, State of Minnesota.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

WILLIAM A. BILLSON, Esq.,
United States District Attorney, Saint Paul, Minn.

199 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 11, 1877.

[Telegram.]

M. A. CARTER, *Lake Charles, La.:*

The military will remain until a disposition is made of the logs. For the present, we will do nothing but guard them where they are, and hold them until there is a demand or until they rot.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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200 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 11, 1877.

SIR: In rendering your account for salary you will charge for the same as beginning with and including the date of your oath of office, September 3, 1877. The account forwarded by you is herewith returned.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

WILLIAM NOWLAN, Esq., *Helena, Mont.*

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201 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 15, 1877.

SIR: I have your letter without date stating that you wish to report the cutting of government timber, and, as I understand your statement, without compensation.

I will be pleased to receive any report that you may make upon the subject gratuitously.

Respectfully, J. A. WILLIAMSON,
Commissioner.

THOMAS MCKENZIE, Esq.,
Tuscarora, Elk County, Nev.

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202 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 15, 1877.

SIR: For your information I send you herewith inclosed a copy of a communication, dated the 10th instant, from the Attorney-General to

the honorable Secretary of the Interior, stating that the United States district attorney for the Territory of Montana has been instructed relative to action to be taken in the depredation-cases embraced in two of your reports.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

WILLIAM NOWLAN, Esq., *Helena, Mont.*

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203 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 15, 1877.

SIR: I have received your letter of the 2d instant, and in reply thereto you are advised that there is no person in Utah Territory who is authorized to receive payment for timber cut upon lands of the United States except the register and receiver of the United States land-office at Salt Lake City, and who have authority only in closing up some old cases.

I will thank you for any information you may be able to furnish, relative to sale of lumber belonging to the United States, by Mr. D. McKay, as mentioned in your letter, giving details.

Respectfully, J. A. WILLIAMSON,
Commissioner.

J. E. LUCAS, Esq.,
Silver Reef, Washington County, Utah.

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204 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 16, 1877.

SIR: I send you herewith inclosed a letter from Messrs. Ryan & Geary, dated "Lake Charles, September 28, 1877," complaining that timber has been seized that was cut from lands belonging to private parties.

In compliance with the direction of the department in reference of the 13th instant, you will make a report upon the matter therein stated.

Respectfully, J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq.,
Saint Charles Hotel, New Orleans, La.

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205 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 18, 1877.

SIR: I have received your letter of the 12th instant, and in compliance with the request therein contained, I send you herewith inclosed

copy of letter from M. A. Carter, dated July 28, 1877, and telegram dated July 31, 1877. It is proper to state that in all cases where it is desired that action should be taken to aid this department by United States district attorneys, a request is made by the honorable Secretary of the Interior of the honorable Attorney-General to have the United States attorney instructed, and the request of Mr. Carter is no reflection upon you, but was proper action on his part to indictate that it was desired you should receive instructions from your official superior, the honorable Attorney-General, authorizing you to act.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

HON. L. LEA,
United States Attorney, Jackson, Miss.

206 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 19, 1877.

SIR: In your telegram, dated "Lake Charles, October 2, 1877," you state as follows:

United States marshal reports 74,734 logs sold to government; cost, $9,898.16. Sold to outside parties 17,980 logs, $14,901.55. Some three or four thousand logs Hickory Flat, not advertised, not sold. Will report in detail by next mail, Friday.

In the letter of Deputy United States Marshal J. J. Gainey, dated "Lake Charles, October 3, 1877," transmitted with your letter of the same date, the following statement is made:

I have the honor to inform you that out of the logs under seizure in the parish of Calcasieu, and sold on the 21st day of September, as per order of the honorable the circuit court of the United States for the fifth circuit and district of Louisiana, the government was the purchaser of 74,734, at an aggregate valuation of $9,898.16, and that there was purchased by private individuals 17,980 logs, at an aggregate valuation of $10,901 55. There yet remain in the custody of the marshal 2,266 logs lying at Hickory Flat, which were not sold because not embraced in the order of sale. I hope to be able to furnish you with a complete transcript of the logs bought in by the government in a day or two.

You will notice that there is a difference of $4,000 in the price of the logs sold to individuals between your telegram and the letter of the deputy marshal. Please advise the office which statement is correct.

Respectfully, J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq.,
Saint Charles Hotel, New Orleans, La.

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207 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 20, 1877.

L. H. REDFIELD, *Tucson, Ariz.:*

Remain and get all the information you can until your last reports are received. I will then instruct you.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

208 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 20, 1877.

SIR: I send you herewith inclosed copy of a letter addressed to the honorable Secretary of the Interior by the honorable Attorney-General, dated the 15th instant, in which it is stated that the United States attorney for the northern district of Florida has been instructed to investigate the matter of persons named who are alleged to be engaged in the manufacture of resin and turpentine upon lands in that State claimed by them upon fraudulent entries, and, should the facts warrant it, to institute criminal and civil proceedings against the guilty parties.

You will furnish the said United States attorney such information and aid as you may be able to give.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

J. G. HESTER, Esq., *Live Oak, Fla.*

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209 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 20, 1877.

SIR: I send you herewith inclosed a copy of a letter addressed to the honorable Secretary of the Interior by the honorable Attorney-General, dated the 15th instant, from which you will observe that the United States attorney for California has been instructed to investigate in regard to depredations upon the public lands reported by you, and to furnish the parties named for the trespasses committed, and in case any of the lumber or timber cut from said tracts is now subject to seizure, that he will cause the same to be seized and sold, and the proceeds arising therefrom paid into the Treasury of the United States.

You will furnish the United States attorney with such information and aid as you may be able to give.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

A. M. HOBBS, Esq. (care of Register and Receiver),
Sacramento, Cal.

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210 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 24, 1877.

SIR: I acknowledge the receipt, by reference from the department, of your letter dated the 18th instant, in regard to having certain sections of land identified as to their boundaries.

The sections referred to are Nos. 25, 26, and 36, of township 28

north, range 25 east of fourth principal meridian, Wisconsin, and were reserved for public purposes by the order of the Secretary of the Treasury, September 1, 1836, said to contain building-stone.

Diagram and field-notes of survey of said sections are herewith inclosed, and you are authorized to employ a local surveyor to identify the government corners of said sections, and retrace the section-lines. The expense of such examination will be chargeable against the $300,000 for surveys of public lands, &c., appropriated by act of March 3, 1877, $10,000 of which has been set apart for examinations of surveys.

The account of the surveyor should receive your approval before being forwarded to this office.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

G. W. HAZELTON, Esq.,
United States Attorney, Milwaukee, Wis.

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211 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 24, 1877.

E. A. DUNCAN, *Saint Paul, Minn.:*

Come to Washington.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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212 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 24, 1877.

SIR: In reply to your letter of the 17th instant, I have to inform you that the invoices of logs and ties referred to were mailed to you on the 11th ultimo, addressed to you at the Saint Charles Hotel, New Orleans, La., the same day that letter was sent notifying you of this fact.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *New Orleans, La.*

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213 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 24, 1877.

SIR: I inclose herewith a copy of a letter from M. Sherman, esq., dated "San Diego, Cal., September 10, 1877," addressed to the honorable

Secretary of the Interior; and in compliance with the directions contained thereon, the same is hereby referred to you for your information.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

A. M. HOBBS, Esq., *Sacramento, Cal.*

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214 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 25, 1877.

SIR: For your information I transmit, herewith inclosed, a copy of a letter addressed to the honorable Secretary of the Interior, from Hugh P. Muldoon, dated Camp Bear Gulch, October 11, 1877, relative to depredations committed upon public timber-lands in that vicinity, by one C. A. Dean, of Denver, Colo.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

L. PEYTON, Esq., *Denver, Colo.*

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215 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 27, 1877.

SIR: I am in receipt of your letter of the 24th instant, and in compliance with request contained therein I forward, inclosed herewith, $3 worth of official postage-stamps.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOSEPH T. LONG, *Olympia, Wash.*

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216 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 29, 1877.

SIR: I have to acknowledge the receipt of your letter of the 21st instant, and in reply would request that hereafter all reference to your salary-account be made in a letter separate from one containing matter in relation to trespass, as these letters go to different desks.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

H. C. SESSIONS, Esq., *Ionia, Mich.*

217 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 29, 1877.

SIR: Inclosed herewith, for your information, I transmit a copy of a letter from Edward Clayson, dated "Puget Sound, Seabeck, Kitsap County, Washington Territory," relating to extensive timber depredations in that locality.

You will give this matter early attention, and make report thereon to this office.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

JOSEPH T. LONG, Esq., *Olympia, Wash.*

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218 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 29, 1877.

SIR: For your information I inclose herewith a copy of a letter addressed to the honorable Secretary of the Interior from the Secretary of War, relative to a telegram received from headquarters Department of the Gulf, dated New Orleans, La., October 6, stating that there has been no intention of removing the troops from Lake Charles until the timber matter is settled.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, *New Orleans, La.*

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219 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 30, 1877.

H. C. SESSIONS, *Ionia, Mich.:*

Nothing for you to do relative to report eight. Will be referred to district attorney. J. WILLIAMSON,
Commissioner.

Charge General Land Office.

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220 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 31, 1877.

L. PEYTON, *Denver, Colo.:*

Office desires to continue your services at twelve hundred per annum and expenses. U. J. BAXTER,
Acting Commissioner.

Charge General Land Office.

221 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., October 31, 1877.

SIR: I have received your telegram of this date from Little Rock, Ark., which is as follows: "In urgent cases can I call in the United States marshal's aid to prevent logs from being removed?"

In reply thereto you are instructed that if in any case the emergencies should seem to require prompt action in order to arrest the offender, to secure the government for damages suffered, or to prevent the removal of logs, you will apply to the United States district attorney for the district within which it is deemed necessary the action should be taken, to institute the proper legal proceedings for that purpose.

This course, however, must be taken only in cases where the evidence is clear and indisputable.

Very respectfully, your obedient servant,

U. J. BAXTER,
Acting Commissioner.

V. DELL, Esq., *Little Rock, Ark.*

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222 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 2, 1877.

H. C. SESSIONS,
Michigan Exchange, Detroit, Mich.:

You are authorized to examine papers and records in United States land-office at Detroit. Register and receiver are hereby instructed to afford every facility.

U. J. BAXTER,
Acting Commissioner.

Charge General Land Office.

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223 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 2, 1877.

W. W. BILLSON,
United States District Attorney, Saint Paul, Minn.:

How many suits for trespass, civil and criminal, were instituted? How many tried? Number of judgments in favor of government. Number of cases certified. Give present status of each case. Answer.

U. J. BAXTER,
Acting Commissioner.

Charge to General Land Office.

224 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 3, 1877.

SIR: I send you herewith inclosed a copy of a letter from H. A. Richardson, dated "Stewart's Point, Sonoma County, California, October 22, 1877," relative to south half southwest quarter section five, ten north, thirteen west, Mount Diablo meridian, and the cutting and removal of bark therefrom by J. C. Beatty.

You will give this matter attention if it comes convenient in the course of your operations in California.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

A. M. HOBBS, Esq., *Sacramento City, Cal.*

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225 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 3, 1877.

SIR: I have received your letter of the 27th ultimo, relative to the railroad ties cut by William Wicks & Co.

It appears that the land from which these ties were cut was entered prior to the cutting, and you recommend their release.

In view of the facts, I think the release should be made.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

JNO. W. JONES, Esq., *Saint Paul, Minn.*

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226 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 3, 1877.

SIR: Your letter of the 19th ultimo has been received. In reply, I have to request that hereafter you make and transmit your reports in duplicate, and make no reference to your salary-account in letters containing matter relative to trespass, but make a separate letter for each, as they go to different desks. You will also keep this office advised of your post-office and telegraphic address. You have been instructed in regard to your expense-account. No advance can be made as you request.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

H. M. SCOTT, Esq., *Portland, Oreg.*

227 D

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 6, 1877.

L. H. REDFIELD, *Tucson, Ariz.:*

Place in possession of the United States district attorney all the facts you have ascertained, and let him take charge of the cases, and then you can proceed to California.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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228 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 6, 1877.

SIR: I send you herewith inclosed a copy of a letter from C. Watterston, dated "Marrapas, Amite River, October 26, 1877," relative to timber which has been seized that was cut from the Houmas grant. You will please advise the writer of the authority under which you are acting in the premises.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

Hon. JACK WHARTON,
United States Marshal, New Orleans, La.

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229 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 6, 1877.

GENTLEMEN: I have received your letter of the 31st ultimo, in which you transmit report of William Webb, deputy timber-agent, in the matter of timber trespass upon southwest quarter of southeast quarter and southeast quarter of southwest quarter section 26, township 18 north, range 16 west, in the winter of 1876, and also duplicate certificate of deposit of the Second National Bank, at Detroit, for $700, proceeds of the sale of timber seized and sold by said Webb.

You also inclose Mr. Webb's statement of expenses, amounting to $160, and also his claim for one-half of the proceeds of sale as informer, pursuant to the provisions of section 4751 of the Revised Statutes of the United States.

It appears from the papers that this sale was made in March, 1876. The proceeds of the sale were deposited October 30, 1877, a lapse of time of over a year and a half after the sale, and no explanation is made as to why the money was not sooner paid by the agent; nor does it appear that the appointment of this timber-agent was reported by you to this office. Explanation is requested on these points.

Section 4751 of the Revised Statutes of the United States referred to

provides for penalties and forfeitures to be sued for, recovered, distributed, and accounted for, and contemplates criminal proceedings in the courts.

Mr. Webb is entitled only to his compensation as timber-agent, and not to one-half of the proceeds of the sale of logs which he seized, as the provisions of the statute referred to are not applicable in his case. I return the statement of expenses, and direct that Mr. Webb be requested to make a statement under oath in regard to the same, showing the length of time he was actually employed, and in all cases where he claims that he made expenditures he will be required to furnish vouchers for the same.

In forwarding his account for expenses you will express your views as to its correctness, and if you recommend its payment you will indorse your approval thereon.

Respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Ionia, Mich.*

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230 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 7, 1877.

H. C. SESSIONS, *Ionia, Mich.:*

Report more fully about frauds mentioned in yours of 29th October. Give names and descriptions of land.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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231 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 7, 1877.

SIR: I send you herewith, inclosed for your information and such action as you may deem proper, a copy of a letter from L. D. Steele, dated "Mount Pleasant, Monroe County, Ala., October 23, 1877," relative to the cutting of timber under color of homestead law.

Respectfully, J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *New Orleans, La.*

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232 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 7, 1877.

SIR: I transmit herewith, inclosed for your information, a copy of a letter from the Secretary of War addressed to the honorable Secretary

of the Interior, relative to substituting a company of cavalry for the infantry now stationed at Lake Charles.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *New Orleans, La.*

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233 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 8, 1877.

SIR: I have received your letter of the 26th ultimo inquiring whether miners have the right to cut timber from the public lands of the United States, to be used in working mines. In reply you are advised that it has been held by the Supreme Court of the United States that the timber, while standing, is a part of the realty, and it can only be sold as the land could be. (United States *vs.* Cook, 19 Wallace, 591.)

By provision of the Constitution, the power is vested in Congress to dispose of the territory or other property belonging to the United States.

There has been no legislation by Congress providing for the sale of timber, consequently there is no authority of law for cutting and removing the same from the public lands of the United States, whether surveyed or unsurveyed, and any one who does so renders himself liable to legal proceeding, both civil and criminal, on the part of the United States.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

D. W. LICHTENTHALER, Esq., *Baker City, Oreg.*

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234 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 8, 1877.

SIR: I send you herewith inclosed a copy of a letter addressed to the honorable Secretary of the Interior, from Samuel Wooldridge, dated "Ionia, Mich., October 11, 1877," in which he claims to have entered as a homestead, December 18, 1876, the north half of the southeast quarter and the south half of the northeast quarter of section 17, township 11 north, range 17 west; that he entered the above homestead in good faith, intending to make it his future home, and that his arrest, on the charge of timber trespass, was unjust. This matter was reported by you September 1, 1877, in Report No. 2. You will report further in this matter in regard to his statements.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

H. C. SESSIONS, Esq., *Ionia, Mich.*

235 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 9, 1877.

M. A. CARTER, *Saint Charles Hotel, New Orleans, La.:*

You can come to Washington.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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236 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 10, 1877.

SIR: I have received you letter, without date, by reference from the War Department, in regard to cutting timber from the vicinity of the Colorado River, and in reply thereto you are advised that there is no authority of law for cutting timber either from the public lands of the United States or lands reserved or Indian for military purposes, and any one doing so renders himself liable to legal proceedings, both civil and criminal, on the part of the United States.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

A. J. NEELEY, Esq., *Yuma, Cal.*

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237 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 12, 1877.

SIR: You will report here, in person, upon receipt of this.

Very respectfully.

J. A. WILLIAMSON,
Commissioner.

D. W. SMITH, Esq., *Mobile, Ala.*

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238 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 12, 1877.

SIR: You will report here, in person, upon receipt of this.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOSEPH G. HESTER, Esq., *Live Oak, Fla.*

239 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 13, 1877.

SIR: I send herewith a copy of a letter from the honorable Attorney-General, dated the 7th instant; also copy of inclosed letter from J. M. Coghlan, United States attorney, dated "San Francisco, Cal., October 25, 1877."

In compliance with the directions of the honorable Secretary of the Interior, in referring these letters, you are hereby instructed to give the United States attorney the information he desires and any other assistance he may require.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

A. M. HOBBS, Esq. (care of Register and Receiver),
Sacramento City, Cal.

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240 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 13, 1877.

SIR: I have the honor to transmit, herewith inclosed, a copy of letter addressed to L. Peyton, from Hugh P. Muldoon, dated "Camp Bear Gulch, November 3, 1877," in relation to lumber cut by Thomas Long for one Dean, of Denver, Colo.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

Hon. W. S. DECKER,
United States District Attorney, Denver, Colo.

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241 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 13, 1877.

R. S. BARTLEY, *Pascogoula, Miss.:*

Send description of all property seized to United States attorney as soon as possible. Hold your ground.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

NOVEMBER 13, 1877.

R. S. BARTLEY, *Pascagoula, Miss.:*

Go to Jackson with description of property and names of parties to

be covered by new process. Go to-day, if possible. Carter will arrive in Jackson early Saturday.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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242 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 13, 1877.

Hon. T. W. HUNT,
United States Marshal, Jackson, Miss.:

Hold your deputies where they now are for service of new process. Carter will be in Jackson early Saturday morning. Bartley will report there.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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243 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 14, 1877.

GENTLEMEN: You are hereby instructed to prepare for Messrs. M. A. Carter and R. S. Bartley, special agents of this office, such township plats as they may require in the execution of their duties. Your prompt action in this regard will be necessary in order to facilitate their proceeding.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Jackson, Miss.*

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244 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 15, 1877.

GENTLEMEN: I have to request that you return to this office all the mail matter from this office addressed in your care to Joseph T. Long.

You will also request the postmaster at Olympia to return such official matter as he may have in his office addressed to Long.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *Olympia, Wash.*

245 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 15, 1877.

SIR: I have received your letter of the 9th instant, in which you regret your inability to accept the appointment tendered you, on account of your continued ill-health, and ask the manner in which you will return the $400 which were advanced to you to defray your traveling expenses to your post of duty, and in reply, I have to request that you forward the above amount in a draft, payable to Dr. R. Joseph, disbursing clerk, Interior Department.

If you have any stationery or other property belonging to the United States, you will mail the same to this office.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JOSEPH T. LONG, Esq., *Indianapolis, Ind.*

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246 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 16, 1877.

J. G. HESTER, *Live Oak, Fla.:*

Remain in Florida and assist in prosecuting suits for the trespass reported in yours of the 5th. Letter of 12th recalling you hereby revoked.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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247 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 20, 1877.

SIR: Referring to my letter of the 13th instant, instructing you "to give the United States attorney the information he desires, and any other assistance he may require," I inclose herewith a copy of a communication addressed to this office by the honorable Secretary of the Interior, dated the 17th instant, transmitting a copy of a letter of this department of the 16th instant, to the Attorney-General of the United States, in relation to the reports made by you concerning the cutting of timber upon land alleged to be public land situate in the State of California.

In compliance with the Secretary's direction you are hereby instructed to communicate to said attorney all the information that you may have respecting the cutting of timber upon the several tracts mentioned in

your reports, and to give such further aid and assistance as may be necessary in each and every case.

Respectfully,

J. A. WILLIAMSON,
Commissioner

A. M. HOBBS, Esq., (care Register and Receiver,)
Sacramento City, Cal.

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248 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 20, 1877.

SIR: I have received your letter of the 10th instant relative to timber piracy in Utah, and in which you state that, if circumstances should necessitate the appointment of an agent for Utah Territory, and the compensation be reasonable, you would be glad to receive it, &c.

In reply, you are respectfully advised that I remember you most favorably, and if there were funds sufficient to defray the expense would give you the appointment, and will do so in case Congress makes a sufficient appropriation; but, as at present situated, the small fund at the disposal of this office for such purpose is being so rapidly exhausted that I have been compelled to withdraw parties who have been in the field, and cannot just now appoint any more.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

Hon. GEO. A. BLACK, *Salt Lake City, Utah.*

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249 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 21, 1877.

M. A. CARTER, *Saint Charles Hotel, New Orleans, La.:*

Give reasons for your wish to have the steamer.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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250 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 22, 1877.

SIR: I transmit herewith, for your information, and such action as you deem necessary, a copy of a letter, addressed to the honorable Secretary of the Interior, from James S. Flanagan, dated Mayfield, November

ber 10, 1877, relative to his homestead entry, Grand Traverse land district, Michigan.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

H. C. SESSIONS, Esq., *Ionia, Mich.*

---

251 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 23, 1877.

SIR: Representations have been made to this office that the Northern Pacific Railroad Company refuse to pay Wm. Wick & Co. for certain ties purchased from them by said company, until the government forego all claims to said ties, and application has been made to release said Wick & Co. from the charge of willful trespass upon the public lands during the winter of 1877.

By reference to trespass-reports of special agents, Jones and Protois, dated Saint Paul, Minn., June 22, 1877, Wm. Wick & Co. are charged with having cut and removed 3,045 railroad ties from the northwest quarter northeast quarter section 6, township 48, range 19, Minnesota, under contract with the Northern Pacific Railroad Company, which ties were delivered on the railroad track between the 41st and 43d mile-posts.

The records of this office show that on the 30th March last the said tract of land was entered with cash by William Wick and J. P. Widing.

I have therefore respectfully to request that, if it is ascertained that the trespass reported was committed subsequent to the date of entry (that is, the 30th March, 1877) of said tract of land, you will please notify the auditor of the Northern Pacific Railroad Company that said Wick & Co. are hereby released from the charge of trespass, and that the government forego all claims to said ties; but, if the trespass was committed prior to the last mentioned date, you will, of course, proceed as in other cases of trespass on public lands.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

Hon. W. W. BILLSON,
United States District Attorney, Saint Paul, Minn.

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252 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 23, 1877.

SIR: I have received, by reference from the department, your letter dated August 10, 1877, making inquiry whether you can use the material of an old bridge on the Pawnee Indian reservation in Nebraska, which has been washed away, for the purpose of constructing a new one, and in reply you are advised that the said reservation was estab-

lished by the provisions of the treaty with the Pawnee Indians, concluded September 24, 1857. (11 Stat. at L., p. 729.)

In the sixth article of said treaty permission was given, allowing the whites the right to open roads through this reservation, and it is probable that it carried with it incidentally the right to use such timber or other material as was actually necessary to construct bridges.

If the bridge which has been washed away was constructed in this manner, I can see no objection to the use of the material for the reconstruction of the bridge, but, in the absence of any information whatever in regard to the facts, except the statement contained in your letter, I am unable to make any decision.

This reservation is at present being disposed of under the act of Congress approved April 10, 1876, entitled "An act to authorize the sale of the Pawnee reservation." (19 Stat. at L., p. 28.)

Respectfully, J. A. WILLIAMSON,
Commissioner.

L. ANDERSON, Esq., *Keatskotoos, Nebr.*

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253 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 26, 1877.

H. M. SCOTT, *The Dalles, Oreg.:*

You are recalled, as requested. Will be allowed pay for reasonable time to return to Indianapolis, from where forward accounts.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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254 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 26, 1877.

D. W. SMITH, *Battle House, Mobile, Ala.:*

You can remain in Alabama. Carter will instruct you.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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255 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 26, 1877.

M. A. CARTER, *Saint Charles Hotel, New Orleans, La.:*

Dix ordered to Pascagoula by telegram of 23d from Secretary of Treasury to collector at New Orleans.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

256 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 26, 1877.

M. A. CARTER, *Pascagoula, Miss.:*

The department and the government will render you all assistance necessary in seizing and holding timber and lumber cut on government land. Great care should be taken to seize no other.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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257 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 27, 1877.

SIR: I acknowledge the receipt of your letter of the 18th instant, and, in reply, you are advised that in your letter of appointment it was stated that you were "borne upon the rolls of this office," because the fund from which your expenses were to be paid is made applicable to defray the expenses of "clerks detailed."

There was no service to be performed by you except in the field in Washington Territory, and, as you have performed none, you have rendered no service as clerk, and have no standing as such, nor official connection with this office.

I inclose herewith a stamped envelope, in which you will please mail the vouchers you speak of to this office.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

J. T. LONG, Esq., *Indianapolis, Ind.*

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258 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 27, 1877.

SIR: I have the honor to acknowledge the receipt of your communication of the 16th instant, recommending the appointment of Dr. John C. Taggart, of your city, as timber-agent.

Dr. Taggart is a valued friend, and I would be very happy to give him the appointment; but, unfortunately, the fund applicable is so limited that I can make no further appointments of this kind.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

Gov. G. W. EMERY, *Salt Lake City, Utah.*

259 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 27, 1877.

SIR: I have received your letter of the 16th instant, making inquiry whether you would have a right to exchange some oak logs for lumber. As you do not give the description of your land, I do not know the nature of your settlement; therefore, I am unable to make proper answer to your question.

I will state, however, that if you have settled either as a pre-emptor or made homestead entry, you are not authorized to cut timber for the purpose of sale alone, but if it is strictly necessary to cut any timber in clearing up your land or in making improvements, you can do so, and there would be no objection to your exchanging logs for lumber if the lumber is to be used in making improvements upon your land.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

JNO. LEES, Esq.,
Sand Creek P. O., Dunn County, Wis.

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260 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 27, 1877.

SIR: In compliance with the request contained in your letter of the 14th instant, a compass, chain, and pins have been ordered to be expressed to you.

There are being prepared in this office copies of the plats of the townships mentioned by you, twenty-eight in number, in which extensive trespasses have been committed, and also copies of the tract-books, so far as relates to these townships.

These copies when completed (and this will require probably two or three weeks) will be duly certified under the seal of this office and mailed to you. You can use them in locating trespass, and they can be afterwards used in connection with your testimony in the United States court in any suits that may be instituted.

I inclose herewith also a copy of a letter from James Bell, esq., dated New Troy, Fla., November 18, 1877, and also a map which he inclosed. This map when received at this office did not have indicated upon it any vacant lands.

An examination has been made of the tract-books, and lands which are shown to be vacant within this township, viz, 5 south, 13 east, have been so marked. I also inclose a list of these vacant lands.

The services of Mr. Bell are to be discontinued from and after the 30th instant. Therefore, if, in the course of your operations, you deem it advisable you can give attention to the supposed trespass upon the vacant lands in township 5 south, range 13.

The extent of the trespass reported in yours of the 5th instant is fully appreciated by this office, as is also the importance of obtaining

and presenting reliable testimony, and to this end it is expected that your labors will be assiduously directed.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

J. G. HESTER, Esq., *Live Oak, Fla.*

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261 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 27, 1877.

JAMES BELL, *New Troy, Fla.:*

SIR: Your services as special agent and clerk of class one in this office will cease on the thirtieth instant. Notice to this effect has already been sent to you at Gainsville and Live Oak.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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262 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 28, 1877.

SIR: I have received, by reference from the honorable Secretary of the Interior, your letter of the 29th ultimo, stating that you have settled upon a tract of unsurveyed government land, and asking if you will be allowed to sell any of the timber you may cut in clearing this land for agricultural purposes and business of raising bees and producing honey.

In reply you are advised that you are only authorized to cut timber when it is strictly necessary in clearing the land for agricultural purposes, or for improving the same, and if you sell any timber cut from the land you render yourself liable to legal proceedings, unless it is distinctly evident that the cutting was for above-named purposes.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

CHARLES R. EMERY, Esq.,
Anaheim, Los Angeles County, California.

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263 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 28, 1877.

SIR: Referring to my telegram to you of the 26th instant, advising you that the Dix had been ordered to Pascagoula Bay by telegram of

the 23d instant from the honorable Secretary of the Treasury to the collector of customs at New Orleans, La., I now inclose herewith for your information a copy of the letter of the honorable Secretary of the Treasury, dated the 23d instant, addressed to the honorable Secretary of the Interior, advising him of this action.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *Pascagoula, Miss.*

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264 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 28, 1877.

SIR: I have received your letter of the 19th instant inquiring whether you can sell pine timber from your homestead upon which you have lived three years, and have cleared six acres, built a house and stable, and otherwise made small improvements.

In reply you are advised that you are not authorized to cut timber for the purpose of sale. Cutting can only be permitted when it is necessary in clearing the land for agricultural purposes, or for the improvement of your homestead.

Cutting solely for the purpose of sale renders you liable to legal proceedings upon the part of the United States, both civil and criminal.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

JOHN A. JOHNSON, Esq.,
Pulcifer, Shawano County, Wisconsin.

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265 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 28, 1877.

SIR: The compass, chain, and pins mentioned in my letter of yesterday were shipped by express by J. W. Queen & Co., of Philadelphia, on the 22d instant, in a box addressed to you at Live Oak, Fla. The description of the same is as follows: 1 surveying-compass, 4-inch needle, 12½-inch plate; 2 straight levels, Jacob-staff mountings, and sights graduated for taking angles of elevation and depression, $30; 1 4-pole chain, 100 links, No. 9 wire, round rings, $3.50; marking-pins, No. 6 steel wire, 11 in a set, $2.

You will advise this office of the receipt of these articles, and whether they correspond with the above description.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

J. G. HESTER, Esq., *Live Oak, Fla.*

266 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 30, 1877.

M. A. CARTER,
Saint Charles Hotel, New Orleans, La.:

The chargé d'affaires of Belgium addresses State Department in regard to Emile de Serret, Belgian citizen, the wood in whose mill and storehouses at Pascagoula has been seized. De Serret states that he purchased wood in open market, requiring written declaration of origin. Report immediately in regard to this case.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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267 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 30, 1877.

NOVEMBER 22 and 27, 1877.—Benjamin Harrison, esq., Indianapolis, Ind. Relative to the appointment of Maj. H. M. Scott to a better position, and not so remote from his family.

Respectfully referred to the Commissioner of the General Land Office for remark and return.

A. BELL,
Assistant Secretary.

NOVEMBER 27, 1877.

The remark, that while it would afford me pleasure to appoint Mr. Scott to some more agreeable position than that to which he has recently been assigned, or to suggest some such place to which he might be appointed, yet I regret to say I do not know of any such, and that the small fund applicable to the payment of persons detailed to investigate trespass upon public timber is being so rapidly exhausted that unless an appropriation is speedily made all those in the field will soon have to be recalled.

J. A. WILLIAMSON,
Commissioner.

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268 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 30, 1877.

GENTLEMEN: On the 9th day of January, 1877, a letter was addressed to you as follows:

I have to direct that, on receipt hereof, you report to this office whether or not you have, or have had, any deputy timber-agents employed under the tenth section of the circular of December 24, 1855? If so, give the name of any such deputy, the date of his employment, and how long his services will probably be required; also, the amount of liabilities you have incurred up to date as timber-agents under that circular. In future, employ no deputies without specific authority therefor first obtained from this office.

And on the 2d day of May, 1877, a circular was sent you, in which you were advised that you were not thereafter to act as agents for the protection of the public timber, and the instructions of December 24, 1855, were revoked.

It has been reported to this office that since these dates parties have acted as timber-agents, purporting to have authority from Julian Neville, the receiver of the United States land-office at New Orleans, particularly one S. T. Pierce and ——— Scully, the former having given a receipt for money for logs cut from the public land in July, 1877, a copy of which has been forwarded to this office; and it is also stated that money has been paid to this agent and others, and to the receiver, Neville, at the land office at New Orleans, for logs cut from the public lands.

You are directed to make an immediate report upon this subject, stating whether, since January 9, 1877, you have appointed or authorized any persons to act as timber-agent; or, whether by your authority, or authority of either of you, or by either of you, any money has been collected or received for timber cut from public lands?

Respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER, *New Orleans, La.*

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269 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., November 30, 1877.

SIR: I acknowledge the receipt of your letter of the 25th instant, transmitting a letter addressed to you, dated November 22, 1877, by Benjamin McLerau, referring to the practice of the land-office at New Orleans of receiving money for timber taken from the public lands. For your information, I inclose herewith copy of a letter this day addressed to the register and receiver at New Orleans upon the subject.

You will obtain and forward any further testimony you can relative to such action by either of the offices at New Orleans.

Respectfully, J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq.,
Saint Charles Hotel, New Orleans, La.

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270 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE.
Washington, November 30, 1877.

GENTLEMEN: I am in receipt of receiver's letter of the 17th instant, addressed to the United States district attorney, Utah, by whom it was forwarded, through the Attorney-General of the United States, to the honorable Secretary of the Interior, and by him referred to this office; and in compliance with instructions contained in the reference, I have to direct that you make a thorough investigation into the trespasses

committed by the parties named; and payment should be demanded of them for all timber cut, at its market-value where used, and if payment be refused, the cases should be reported to the district attorney for prosecution.

Copies of the correspondence referred to herewith inclosed.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER,
United States Land Office, Salt Lake City, Utah.

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271 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 1, 1877.

SIR: I have received your letter of the 9th ultimo, making inquiry whether timber can be cut from the public lands of the United States for the purpose of fuel and improvements; and, in reply, you are advised that it has been held by the Supreme Court of the United States that the timber, while standing, is a part of the realty, and it could only be sold as the land could be. United States *vs.* Cook (19 Wallace, 591).

By provision of the Constitution, the power is vested in Congress to dispose of the territory and other property belonging to the United States. There has been no legislation by Congress providing for the sale of timber, and consequently there is no authority of law for cutting and removing the same from the public lands of the United States, whether surveyed or unsurveyed, and any one who does so renders himself liable to legal proceedings, both civil and criminal, on the part of the United States.

Letters under the pre-emption or homestead laws upon lands which have timber growing upon them are entitled to cut the same therefrom as far as is actually necessary in clearing the land for agricultural purposes, or in improving the same.

Respectfully, J. A. WILLIAMSON,
Commissioner.

Rev. HUGH CALDWELL, *Block-House, Wash.*

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272 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 1, 1877.

SIR: For your information, I inclose herewith a copy of a letter addressed to the honorable Secretary of the Interior by the Secretary of the Treasury, dated November 24, 1877, relative to telegram sent by him to the collector of customs at Shieldsborough, in reference to a vessel alleged to be wrongfully detained at Pascagoula, under timber-depredation action.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq., *New Orleans, La.*

273 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 1, 1877.

SIR: I inclose herewith copy of a communication dated Bourgeois Landing, Amite River, Louisiana, November 23, 1877, signed by B. B. Clenery, complaining of the seizure of timber upon the Houmas grant, and the suffering of settlers in consequence thereof. You will, at your convenience, report to this office upon this subject.

The general understanding of this office is that these settlers are upon land which it has been held does not belong within the Houmas grant, and which will be disposed of by the United States; but it was thought best to obtain a report from you upon the premises.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq.,
Saint Charles Hotel, New Orleans, La.

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274 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 3, 1877.

SIR: You are hereby notified that, owing to the lack of funds to further pay your salary and defray your expenses, your services as an agent of this office, borne upon the rolls as a clerk and detailed to investigate in regard to trespass upon the public lands in Arkansas, will be discontinued after such reasonable time as will enable you to reach your home after the receipt of this letter, from whence you will forward your accounts.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

V. DELL, Esq. (care of Register and Receiver),
Little Rock, Ark.

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275 D.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 3, 1877.

M. A. CARTER,
Saint Charles Hotel, New Orleans, La.:

Has any property been replevied that is claimed by or was in possession of Mr. De Smet?

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

276 D.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 3, 1877.

J. G. HESTER, *Live Oak, Fla.:*

William H. Barton, law clerk Department of Justice, leaves for Florida this evening. Communicate with him at Live Oak.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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277 D.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 3, 1877.

M. A. CARTER,
Saint Charles Hotel, New Orleans, La.:

Barton, law clerk Department of Justice, leaves for Florida to-night to superintend institution of suits. He will meet Hester at Live Oak.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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278 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 4, 1877.

M. A. CARTER, Esq.,
Saint Charles Hotel, New Orleans, La.:

You need not go to Live Oak. Can you not get along without services of Mr. Smith?

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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279 D.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 4, 1877.

M. A. CARTER, Esq.,
Saint Charles Hotel, New Orleans, La.:

Bell's services were discontinued on the 30th ultimo. Countermand

by telegraph your instructions to him of the 29th, and let him know that you are advised that he is no longer in the service.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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280 D.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 4, 1877.

M. A. CARTER, Esq.,
Saint Charles Hotel, New Orleans, La.:

You need not telegraph Bell. He is in this city.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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281 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 4, 1877.

REGISTER and RECEIVER,
United States Land Office, Jackson, Miss.:

Endeavor to furnish township-plats, required by R. S. Bartley, special agent of this office, without delay.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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282 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 4, 1877.

SIR: I am in receipt of the following telegram, viz:

NEW ORLEANS, *December* 3, 1877.

Hon. J. A. WILLIAMSON,
Commissioner General Land Office, Washington, D. C.:

Hester has never reported to me in accordance with your letter of instructions, and I know nothing of his proceedings in Florida. Do you wish me to go to Live Oak?

M. A. CARTER,
Special Agent.

On September 7 a letter was addressed to you at Live Oak, Fla., a copy of which is inclosed.

You will report in the premises. You will also make copies of all your reports and forward them to M. A. Carter, Saint Charles Hotel, New Orleans, La., and in future send him copies of all your reports to this office.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

JOSEPH G. HESTER, Esq., *Live Oak, Fla.*

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283 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 4, 1877.

SIR: I have received your letter of the 30th ultimo, relative to the furnishing of township-plats by the officers of the United States land-office at Jackson, Miss., and I have this day telegraphed to said officers to endeavor to furnish the plats required without delay.

Respectfully, J. A. WILLIAMSON,
Commissioner.

R. S. BARTLEY, Esq., *Scranton, Miss.*

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284 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 5, 1877.

SIR: I have received your telegram of the 4th instant, in which you state that you can do without Mr. Smith about the 15th or 20th instant. You will direct him to turn over to you all public papers or property in his hands, and to proceed to Washington at the very earliest date that you can dispense with his services. He will be allowed a reasonable time to come to Washington, after he receives his direction from you, and payment for his services and expenses will be continued until he reaches here. Advise this office by telegraph of the action you take in this matter. It is not presumed that it will require an order from this office directly to Mr. Smith, as you request, to have him turn over the papers in his hands, but if such order is necessary report the fact and it will be given.

Respectfully, J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq.,
Saint Charles Hotel, New Orleans, La.

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285 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 5, 1877.

SIR: Your letter of the 8th ultimo, relative to the trespass of Armstrong & Bagley on the public timber, was submitted to the honorable Secretary of the Interior, with letter from this office, on the 20th ultimo.

The honorable Secretary returns the same, with letter dated 30th ultimo, a copy of which is herewith inclosed; and in compliance with the directions therein contained, you are hereby instructed to demand of Messrs. Armstrong & Bagley the value of the timber cut by them at the mills where the same was manufactured, and if payment is refused, to report the refusal to this office for such further proceedings as may be necessary in the premises.

Respectfully, J. A. WILLIAMSON,
Commissioner.

M. M. BANE, Esq.,
Receiver of United States Land Office, Salt Lake City, Utah.

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286 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 5, 1877.

SIR: I have received your letter of the 24th ultimo relative to getting proof for the conviction of Pope, Talbot & Co., and Godfrey, Moffit & Co., and in which you state that if I approve you will leave for Puget Sound on receipt of funds.

In reply, you are hereby instructed to place in possession of A. M. Hobbs, esq., special agent of this office, who will this day be directed to meet you at the Occidental Hotel, in San Francisco, all information that you have in regard to depredations on the public timber in the State of California. You will then proceed to such locality in Washington Territory as you may deem best for the detection of trespass upon the public timber, and make a careful and thorough investigation.

If the trespass has been upon unsurveyed lands, you will make up description of the same by natural boundaries; and if upon surveyed lands, give description by section, township, and range, or subdivision of section, if necessary; and you will also endeavor to obtain the names of persons who have controlled the cutting and removal of timber, to be made defendants if either within the jurisdiction of the United States court in Washington Territory or, if a resident elsewhere, of the United States court within the jurisdiction of which they may reside; and you will also obtain the names of persons who can be subpœnaed as witnesses to testify in regard to the trespass, giving the place of residence of such witnesses.

You will give your attention directly and practically to one case until you have collected all the data necessary to enable the United States attorney for the proper jurisdiction to institute legal proceedings. These proceedings will be, if the property can be reached, perhaps in the nature of replevin, to obtain possession of the same; or, if the property cannot be reached, or if the parties made defendant are pecuniarily responsible, the action of trover may be brought to recover the value of the same, and criminal proceedings may also be instituted.

You will continue to report in duplicate, and keep this office advised of your post-office and telegraphic address; and as the funds applicable for the payment of your salary and expenses are being rapidly exhausted, you are requested to study economy in your expenditures.

Respectfully, J. A. WILLIAMSON,
Commissioner.

L. H. REDFIELD, Esq. (care of Falkner, Bell & Co.),
San Francisco, Cal.

287 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 5, 1877.

SIR: Mr. L. H. Redfield, who has been making investigation as special agent of this office in Arizona and California, has this day been instructed to place in your possession all the information he has in regard to trespass upon public timber in the State of California, and to proceed to Washington Territory.

You will find Mr. Redfield at the Occidental Hotel, in San Francisco, to which place you will immediately proceed upon the receipt of this letter, for the purpose of obtaining this information.

When you obtain such information you will take such steps in regard to the same as you may deem proper.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

A. M. HOBBS, Esq. (care Register and Receiver),
Sacramento City, Cal.

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288 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 5, 1877.

M. A. CARTER, Esq.,
Saint Charles Hotel, New Orleans, La.:

Representative Hooker, of Mississippi, submits statement of Joseph Graves, the marshal's log-keeper, that he has found 677 logs, 400 of which are in Mike's River, and 75,000 feet of lumber, claimed by William J. Poytevant, and affidavits of Archibald Russ and N. G. Stamford that over six hundred pine logs seized are the property of Poytevant, cut from his lands in townships seven and eight north, range seventeen west, and eight south, sixteen west, and that they assisted in cutting and hauling.

Investigate this matter as promptly as possible. If you are satisfied that these logs were cut from Poytevant's lands, have them released without delay; but if cut from government lands, the marshal will continue in possession.

Report your action in this case by telegraph.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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289 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 6, 1877.

M. A. CARTER, Esq.,
Saint Charles Hotel, New Orleans, La.:

Under date of the 19th ultimo the French minister filed a statement,

dated the 10th ultimo, by Oscar Bereier & De Smet, that the timber in the lawful possession of said firm had been seized.

Referring to your telegram of the 3d instant, I conclude that said timber was released by order of Judge Hill, and no seizure by the government has been made since that date. Am I correct?

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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290 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 7, 1877.

Hon. MARTIN MAGINNIS,
Willard's Hotel, Washington, D. C.:

I am instructed by the Hon. Secretary of the Interior to say that the statement made by Mr. Fox and others, of Helena, will receive due consideration, and that he will do what he can to secure such legislation at an early day as will enable the citizens of Montana to procure timber according to law.

Meanwhile the law, as it now stands, must be enforced. In its enforcement, however, due regard will be had to the equities of the citizens of your Territory.

J. A. WILLIAMSON,
Commissioner.

Charge General Land Office.

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291 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 8, 1877.

SIR: I inclose herewith, for your information, and such action as you deem proper, a copy of a letter from James Bell, dated New Troy, November 25, 1877, in which he incloses a letter addressed to him by G. W. Moody.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

JOSEPH G. HESTER, Esq.,
Live Oak, Fla.

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292 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 11, 1877.

SIR: I have received your letter of the 6th instant, in which you make inquiry as follows:

What right, if any, have miners, mill-men, or others to take and use timber from public lands for *necessary use* in developing and working said mines and mills? What are the rules of your department in regard to such necessary use of timber?

Is there any way by which title can be acquired to timber-land in the Black Hills, that, so that the same could be protected from depredations?

Having located a mill-site of five acres, according to United States and local laws, having full possession and mill at work on same, have I a right to hold and protect the timber growing on said mill-site as against miners and others (not yet having obtained a patent from the United States)?

In reply, you are advised that it has been held by the Supreme Court of the United States that the timber while standing is a part of the realty, and can only be sold as the land could be. United States *vs.* Cook (19 Wallace, 591).

By provision of the Constitution, power is vested in Congress to dispose of the territory or other property belonging to the United States. There has been no legislation by Congress providing for the sale of timber, consequently there is no authority of law for cutting and removing the same from the public lands of the United States, whether surveyed or unsurveyed, and any one who does so renders himself liable to legal proceedings, both civil and criminal, on the part of the United States.

You have a right to hold the timber growing on the land upon which you have located as a mill-site as against miners and others, if the same is taken in accordance with the provisions of section 2337 of the Revised Statutes of the United States, and with the provisions of law therein referred to.

I inclose herewith for your information a pamphlet embracing United States mining laws and regulations thereunder, issued by the General Land Office, February 1, 1877.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

E. T. HOPKINS, Esq.,
2101 *Harrison Street, Davenport, Iowa.*

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293 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 14, 1877.

SIR: I have your letter of the 3d instant relative to your appointment as agent to investigate in regard to trespass upon the public timber.

As stated in my letter to Governor Emery of the 27th ultimo, the fund applicable is so limited that I can make no further appointments of this kind. If Congress shall make an appropriation, you will be kept in mind.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

Dr. JNO. P. TAGGART,
Salt Lake City, Utah.

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294 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 14, 1877.

SIR: I have your letter of the 4th instant, relative to granting permission to parties who have homestead entries to cut the timber for the purpose of sale.

In reply, you are advised that timber can only be cut by a person who has made an entry of land, under the homestead laws, for the purpose of clearing the land for agriculture or improving the same. If cut solely for the purpose of sale, the person so cutting will be liable to have legal proceedings instituted against him, both civil and criminal.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

A. J. NICHOLS, Esq.,
Fyfield Post Office, Chippewa County, Wisconsin.

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295 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 14, 1877.

SIR: I have received your letter of the 10th instant, requesting permission for a leave of absence to spend the holidays with your family, and, in reply, you are authorized to take leave of absence for a reasonable time for the purpose named.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

JNO. W. JONES, Esq., *Saint Paul, Minn.*

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296 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 14, 1877.

SIR: I have received your letter of the 6th instant, inclosing communication addressed to you by James H. Martineau, United States deputy surveyor, dated "Logan, December 3, 1877, relative to cutting timber from the public lands.

In reply to the interrogatories therein contained, you are advised that your understanding of the matter is correct—that a settler can cut timber from the lands upon which he may make settlement for fuel and domestic uses, to clear the same for the purpose of agriculture or improvement, but not for commerce or speculation.

Any person cutting timber from the land upon which he has settled, solely for the purpose of sale, renders himself liable to have legal proceedings instituted against him, both civil and criminal.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

NATHAN KIMBALL, Esq.,
Surveyor-General, Salt Lake City, Utah.

297 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 14, 1877.

SIR: I send you herewith inclosed copies of drafts drawn in favor of the timber agents, which have been filed in this office by Hon. C. W. Jones, United States Senator from Florida, and also statement dated the 13th instant addressed to me by W. O. Conway, esq., a clerk in this office, giving the result of an examination of the records of this office relative to said drafts.

You will make investigation in regard to these drafts, and if connected with any cutting for which actions have been instituted, such consideration as is due will be given them. You will consult with the district attorney in regard to the same. Where parties have paid for timber to a person authorized under the regulations of this office to receive the same, the point to be ascertained is whether they paid the full value in accordance with existing regulation. That, in most cases, I presume, was a certain amount per thousand as "stumpage," and if the full value was not paid suit might properly be brought for the residue.

In cases where payments have been made to officials who were duly authorized to represent this office, and the money has not been deposited in the Treasury, but has been retained by such officials, I presume that legal proceedings could not be successfully maintained against the parties who paid the money; but if such instances are developed suits should be instituted against the defaulting official or his bondsmen, if he was a bonded officer, if upon inquiry it is thought probable that a judgment could be collected; and such parties should also be proceeded against criminally under section 5492 of the Revised Statutes of the United States.

Respectfully, J. A. WILLIAMSON,
Commissioner.

J. G. HESTER, Esq., *Live Oak, Fla.*

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298 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 15, 1877.

SIR: Upon receipt of this you are requested to furnish this office with a statement of all cases of trespass which have been reported to you since your administration of the office of surveyor-general for the district of Minnesota, giving names of trespassers, description of land trespassed upon, number of feet of timber cut, kind of timber, log-marks, to whom sold, name of person who made the examination in the field and scaled the timber, and the condition of such cases of trespass as shown by your records.

You will also turn over to the United States district attorney all cases of trespass appearing upon your records, for which the government has not been fully reimbursed, and advise this office accordingly.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

J. H. BAKER, Esq.,
United States Surveyor-General, Saint Paul, Minn.

299 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 17, 1877.

SIR: For your information, and such action as you deem proper, I inclose herewith a copy of letter from the register United States land-office, dated Olympia, Wash., November 28, 1877, inclosing one from W. T. Ballou, relative to timber depredations in that vicinity.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

L. H. REDFIELD, Esq., *San Francisco, Cal.*

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300 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 17, 1877.

SIR: I have received, by reference from the Hon. Secretary of the Interior, a letter addressed to him by you, dated "Walla Walla, Wash., November 28, 1877," relative to obtaining testimony in regard to the unlawful cutting of timber from the public lands of the United States.

In compliance with the request contained in your letter, the United States marshal is hereby authorized to employ a competent person to trace the lines of public surveys, and ascertain facts in regard to trespass that he may testify in regard to the same in court. Such person should be a competent surveyor, and will be employed at as economical a rate as possible, the employment to be subject to your approval, and his account for services and for the expense of such assistance as he may require will be certified by the marshal and yourself to this office, to be paid out of that portion of the appropriation for public surveys set apart for the inspection of surveys.

The register and receiver at the Vancouver and the Walla Walla offices will be instructed to take the affidavits in pre-emption and homestead cases in duplicate as you recommend.

Respectfully, J. A. WILLIAMSON,
Commissioner.

HON. JNO. B. ALLEN,
United States Attorney, Olympia, Wash.

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301 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 17, 1877.

SIR: In reply to your letter of the 11th instant, you are advised that in settling upon public lands of the United States, under authority of pre-emption or homestead laws, you are not authorized to cut timber except for the purpose of clearing the same for agriculture or improving the same.

Any person settling under said laws, who may cut timber solely for the purpose of sale, renders himself liable to have legal proceedings instituted against him, both civil and criminal.

Respectfully, J. A. WILLIAMSON,
Commissioner.

CHAS. H. HILL, Esq., 46 *Railroad Street, Milwaukee, Wis.*

302 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 17, 1877.

GENTLEMEN: You are directed hereafter to take all affidavits in cases of pre-emption and homestead entries in duplicate, in order that in cases where settlements are made under authority of pre-emption or homestead laws for the purpose of despoiling the lands of timber, there may be in your possession, to be produced in court, an affidavit upon which the offending party may be convicted of perjury.

When called upon by the United States attorney for Washington Territory you will produce such papers, to be used by him in any prosecutions he may institute.

Respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER,
Vancouver, Wash.

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303 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 17, 1877.

GENTLEMEN: You are directed hereafter to take all affidavits in cases of pre-emption and homestead entries in duplicate, in order that in cases where settlements are made under authority of pre-emption or homestead laws for the purpose of despoiling the lands of timber, there may be in your possession, to be produced in court, an affidavit upon which the offending party may be convicted of perjury.

When called upon by the United States attorney for Washington Territory you will produce such papers, to be used by him in any prosecutions he may institute.

Respectfully, J. A. WILLIAMSON,
Commissioner.

REGISTER and RECEIVER,
Walla Walla, Wash.

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304 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 17, 1877.

SIR: On the 30th ultimo I inclosed you a copy of a letter that day addressed to the register and receiver at New Orleans, La., upon the subject of their receiving money for timber taken from the public lands. I inclose herewith a copy of letter from the receiver, dated "New Orleans, La., December 6, 1877," in reply thereto, in which he says that the above charge is untrue, &c.

You will give this subject further attention, and report the result to this office.

Very respectfully, J. A. WILLIAMSON,
Commissioner.

M. A. CARTER, Esq.,
New Orleans, La.

305 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 18, 1877.

SIR: I have received your letter of the 26th ultimo, and in reply thereto you are advised that any persons settling upon public lands of the United States, whether surveyed or unsurveyed, with a view to acquiring title to the same, either under the pre-emption or homestead laws, are entitled to cut therefrom timber, when for domestic purposes, or for clearing the land for agriculture, or for the improvement of the same.

Cutting solely for the purpose of sale is not authorized by law, and any person so doing is liable to have legal proceedings instituted against him, both civil and criminal.

I return herewith the two three-cent postage-stamps inclosed by you.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

CHAS. A. MOGER, Esq.,
Bozeman, Mont.

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306 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 18, 1877.

SIR: I have received your letter of the 26th ultimo, relative to trespass upon the public timber in Washington Territory.

In reply you are advised that a copy of this, and also of your former letter, will be referred to the proper person for investigation.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

EDWARD CLAYSON, Esq.,
Seabeck Post-Office, Kitsap County, Wash.

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307 D.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 18, 1877.

SIR: I inclose herewith for your information, and such action as you may deem proper, copies of two letters from E. Clayson, esq., of Seabeck, Puget Sound, Washington Territory, dated respectively October 9, 1877, and November 26, 1877.

Respectfully,

J. A. WILLIAMSON,
Commissioner.

L. H. REDFIELD, Esq., (care Falkner, Bell & Co.,)
San Francisco, Cal.

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MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

In answer to a Senate resolution of November 16, 1877, information in relation to the seizure of logs, lumber, and naval stores, suspected to have been taken from the public lands.

JANUARY 23, 1878.—Read, referred to the Committee on the Judiciary, and ordered to be printed.

To the Senate of the United States:

In answer to the resolution of the Senate of November 16, 1877, I transmit reports made to me by the Attorney-General and the Secretary of the Navy.

R. B. HAYES.

EXECUTIVE MANSION, *January* 23, 1878.

DEPARTMENT OF JUSTICE,
Washington, January 18, 1878.

SIR: I have the honor to acknowledge the receipt of the following resolution of the Senate, referred to me by yourself:

Resolved, That the President be requested, if in his opinion not incompatible with the public interest, to communicate to the Senate the instructions given to the agents and marshals of the United States in the States of Alabama, Florida, Mississippi, and other States and Territories, touching the seizure of logs, lumber, and naval stores, suspected of having been taken from the public lands of the United States; whether or not, under the orders given to said agents and marshals, large amounts of property in possession of citizens of the United States held under claim of valid title have been seized "without warrant supported by oath or affirmation, and particularly describing the things to be seized."

In compliance with this resolution, I have the honor to inclose copies of all communications and telegrams sent from this department upon the subject embraced in the resolution, as well as of all correspondence received which bears upon the origin or result of such instructions. This report is made up to the date of December 18 last.

For further reply, I have the honor to say that no instructions from this department have been given which were intended to authorize the seizure of property in possession of citizens under claim of valid title without process. It may be, however, that in a few instances seizures were made without process, where the property of the United States

was not found to be in the possession of any one claiming to hold under a valid title; but I am not informed of the particulars of any such seizure. I have no reason to believe that any seizure not fully authorized by law has been attempted or made. The property of the United States has been sought to be recovered usually by writs of replevin, and an oath is not required by the laws of most of the States, in order that this process may issue. Where it has issued, therefore, I presume oath has not been made, but that the writ has issued according to the usual form.

Very respectfully, your obedient servant,

CHAS. DEVENS,
Attorney-General.

To the PRESIDENT.

[Telegram.]

JACKSONVILLE, FLA., *December* 14, 1877.

To HON. CHAS. DEVENS,
Attorney-General, Washington, D. C.

All parties arrested held to await action of grand jury. Two additional suits against parties at Cedar Keys instituted. Have reported in detail.

WM. H. BARTON.

[By department telegraph.]

DEPARTMENT OF JUSTICE,
Washington, December 15, 1877.

The HON. SECRETARY OF THE INTERIOR:

The following dispatch has been received:

JACKSONVILLE, FLA., *December* 14, 1877.

HON. CHARLES DEVENS,
Attorney-General, Washington, D. C.

All parties arrested held to await action of grand jury. Two additional suits against parties at Cedar Keys instituted. Have reported in detail.

WM. H. BARTON.

Very respectfully,

CHARLES DEVENS,
Attorney-General.

DEPARTMENT OF THE INTERIOR,
Washington, November 30, 1877.

SIR: Referring to my letter of September 8, 1877, transmitting a report of Special Agent Sessions, in relation to depredations committed upon the public lands by Samuel Wooldridge in the State of Michigan, and requesting that the same might be transmitted to the United States district-attorney for the western district of Michigan for investigation, and the commencement of such legal proceedings as the facts in the case might warrant, I have the honor to transmit a supplemental report made by the special agent in relation to the trespass of Mr. Wooldridge, in which he says:

I do not think that Mr. Wooldridge intended to violate the law, or thought that what he did was anything more than he had a right to do.

He further says:

I am clearly of the opinion that, had he known his acts were a trespass, that he would not have done so; and that if he is made to suffer for the value of the timber already taken, that would be severe enough to restrain others from making the same error.

The tract upon which Mr. Wooldridge is alleged to have made the trespass was entered by him as a homestead, and from the special agent's first report, it appeared that this entry was made, not for the purpose of cultivating and improving the tract, but rather to cut and remove the timber therefrom for speculative purposes, and hence he was liable to prosecution the same as other trespassers. If it be true, however, that in cutting the timber he was doing it simply for the purpose of making improvements upon the tract entered in good faith, the selling of the timber so cut would not, in my opinion, warrant a prosecution for trespass.

I have, therefore, the honor to request that you will transmit this report to the United States district-attorney for his information, with instruction that if, upon a full investigation of the case, he is satisfied that there was no intention to violate the law by Mr. Wooldridge, to discontinue the criminal proceedings.

Very respectfully, your obedient servant,

C. SCHURZ,
Secretary.

HON. CHARLES DEVENS,
Attorney-General.

Supplemental report to report No. 2, as called for in letter dated November 8, 1877, in relation to the "statements" contained in a letter addressed to the honorable Secretary of the Interior from Samuel Wooldridge, dated Ionia, Mich., October 11, 1877.

LUDINGTON, *November* 21, 1877.

SIR: In relation to the above, I have the honor to submit the following report:

What clearing there was at the time of transmitting my first report was on pine plains where there was but little timber and but little work to clear; there might have been in the open space around the house more than an acre that was clear from trees, brush, and logs, but not more than a quarter of an acre that had been planted, a part to white beans and a part to potatoes, both of which were dead, and none of it fenced.

The house is 16 by 24, built of rough boards, without lath or plaster, or boards on the inside of the studding, no partitions, and at the time I made my first report there was no chamber-floor laid, and the windows were all boarded up. There was a hole dug in the ground about six or seven feet deep and curbed up, but no water in the hole or well, at the time of my examination in August last. I should not change my estimate of the value of the house, and ten to fifteen dollars the well.

I was mistaken in regard to the quantity of land Mr. Wooldridge owns in Ionia County. Instead of 120 acres, he says he only owns 118½ acres. I reported by legal subdivisions; finding three forties of record, I called it 120 acres, and it seems one of the forties is fractional and contains 38½ acres of land.

Since my first visit to Mr. Wooldridge's homestead he has logged

about 2½ acres more land, and has sunk the well 2 or 3 feet deeper, so that there is water in it; he has put in a chamber-floor, and is at present living with his wife on the homestead.

His son, George W. Wooldridge, worked on the land all last winter getting out ties, in all about 600. Mr. Wooldridge went there the 8th day of May, 1877, and lived there with his wife until the 11th day of August, 1877, and had returned again since his arrest October 11, 1877.

The pine and bark mentioned in report No. 2 was all taken off of about eighty acres on the west half of the one hundred and sixty acres mentioned in said report. At the time of my visit in August last all the indications of improvements, save those above mentioned, were the fallen hemlock-trees with the bark peeled as they had fallen, none of them cut up into logging-lengths, not a limb cut on any of the fallen trees, none of the undergrowth cut and piled, and in fact nothing done, save the building the house and improvements about the house, to indicate that there was any intention of clearing the land.

Yesterday I asked Mr. Wooldridge the following questions (I also give his answers):

Question. Mr. Wooldridge, why didn't you clear off a few acres at a time and take everything clear, and cut and pile the brush as you went along?

Answer. I would clear off this whole eighty acres at one time, and I dare not put a fire into it until all the valuable timber is taken off; if I did, the fire would be likely to destroy it. When I get the timber out of the way, then I will cut down the small stuff and burn it at one time.

Question. Do you understand that you have a right to go on and cut down all the valuable timber and dispose of it before making any improvements?

Answer. He supposed he could cut as much or little as he pleased and when he pleased, if he intended it for a homestead.

I think the above covers all of Mr. Wooldridge's statements, except as to his intentions. Mr. Wooldridge is an intelligent, and has always been considered an honest, law-abiding, and upright citizen. He has had a copy of the latest instructions of the honorable Commissioner of the General Land Office, and understands the letter of those instructions (if not the spirit) perfectly. And while I deem the land more valuable for the timber, I have no reason to doubt but that he thinks it more valuable for farming purposes, and intends in good faith to make a home of it; that he intends to clear off the eighty acres and cultivate it, and he may be able to raise crops on the south half, which is bounded by a stream on the east and south. He says he is going to put in ten acres of peaches on the lightest, which is sandy plain.

I do not think that Mr. Wooldridge intended to violate law or thought that what he did was anything more than he had a right to do. He says he paid the party who relinquished his claim $200, and that it was represented to him as mostly hard wood land.

Mr. Wooldridge stands indicted by the grand jury as a willful trespasser. I am clearly of the opinion that had he known his acts were a trespass he would not have done so, and that if he is made to suffer for the value of the timber already taken, that would be severe enough to restrain others from making the same error.

Very respectfully submitted.

H. C. SESSIONS,
Special Agent.

Hon. J. A. WILLIAMSON,
Commissioner, Washington, D. C.

DEPARTMENT OF JUSTICE,
Washington, December 4, 1877.

SIR:—I inclose a copy of a letter of the 30th ultimo, addressed to me by the Secretary of the Interior, with a copy of a supplemental report of Special Agent Sessions, in which there are statements of fact and suggestion as to the prosecution criminally of Samuel Wooldridge.

Your attention is particularly called to the suggestions of the Secretary.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

M. C. BURCH, Esq.,
United States Attorney, Grand Rapids, Mich.

DEPARTMENT OF THE INTERIOR,
Washington, December 6, 1877.

SIR: Referring to your letter of the 30th of October last, transmitting a copy of a communication from William W. Billson, esq., United States attorney for Minnesota, relative to the prosecutions, in his district, for trespasses upon the public lands, I have the honor to transmit herewith a copy of a communication from the Commissioner of the General Land Office, dated the 3d instant.

I fully concur in the suggestions and recommendation made by the Commissioner.

Very respectfully, your obedient servant,

C. SCHURZ,
Secretary.

Hon. CHARLES DEVENS,
Attorney General.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 3, 1877.

SIR: I have the honor to acknowledge the receipt, by reference from the Department, of a letter addressed by the Hon. S. F. Phillips, acting attorney-general, to you, dated 30th October, and inclosed copy of a letter of the 24th October from the United States attorney for Minnesota, wherein he brings to the attention of the honorable Attorney-General certain difficulties attending the prosecutions in said district for trespasses upon the public lands, in reference to which you direct an expression of my views.

The United States attorney, in his letter, states that at different times during the past six months he has received from the Attorney-General's office and from the agents of this department reports of trespasses committed on the public lands of the United States in that district in the years prior to 1876; that the aggregate of the trespasses, as reported to date, is about thirty million feet (board-measure), and he presumes that further amounts will yet be reported; that on looking over these reports of trespasses he finds that there are some considerations which he wishes to submit before taking action, and states as follows:

"On the threshold of each of these cases lies the question, did the trespasser duly settle with the officers of the Interior Department by paying to them the stumpage value of the timber cut? If he did, I suppose there can be no doubt such a settlement

is a bar to any civil action the government may seek to maintain. I observe that the honorable Commissioner of the General Land Office, in one of his letters transmitted to me from your office, suggests the institution of suits *in all cases where the money has not been paid into the Treasury*, but unless collusion can be proven, I think clearly such suits must fail where it appears that the surveyor-general or other authorized official received the stumpage money from the trespasser and afterward embezzled it. If I am correct in this view, it would seem to be conducive, both to justice and economy, that the parties charged should be, prior to the institution of suit, notified of the claims against them, and given an opportunity to present any written evidences they may have of payments made by them in settlement.

Again, it is not improbable that some of them would pay the government's demand rather than contest it.

Now, while I stand ready to perform with reference to these cases all the duties that may be imposed upon me, I am of the opinion that preliminary investigations of this character can be more efficiently, and would be more properly, made by officers of the Interior Department. The impression is quite general that such inquiries would, in many cases, obviate litigation which would result in failure, and in others would secure the government its dues without suit. In case it is desired that these facts should be investigated by myself, I wish to be advised what course to pursue where the parties charged produce the receipts of authorized officials for moneys paid in settlement of the trespass.

Please advise me also whether I shall sue in all cases for the full value of the timber *in the boom*, or only for its stumpage value, which latter I believe was the basis upon which settlements were made in years gone by.

I would respectfully submit, in regard to the foregoing, that in each case of trespass mentioned examination be made into the facts by conference between the United States district-attorney and the agent of this office, and if it is ascertained that payment has been made, by the party charged with trespass, of stumpage, or otherwise, for timber cut upon the public lands, that a calculation be made, and if it be determined whether the amount so paid was the full valuation in accordance with the requirements at that time in force under the instructions of this office. If so, in such a case I would regard it as unwise to have legal proceedings instituted, but if it be ascertained that no payment has been made to an official representing this department for the timber cut, or that an insufficient payment has been made, I suggest that in such cases the marshal, under the direction of the United States attorney, make a demand for the value of the timber, or the difference between the amount previously paid, and the value of the timber, as the case may be.

The marshal is a bonded officer, and would be a proper person to receive and deposit such money to the credit of the United States.

In cases where payments have been made to officials who were duly authorized to represent this office, and the money has not been deposited in the Treasury, but has been retained by such officials, I agree with the United States attorney that legal proceedings could not be successfully maintained; but, if such instances are developed, suits should be instituted against the defaulting official, or his bondsmen, if he was a bonded officer, if upon inquiry it is thought probable that a judgment could be collected; and such parties should also be proceeded against criminally, under section 5492 of the Revised Statutes of the United States.

Where parties paid for the timber cut under the authority of this office the point to be ascertained is, whether they paid the full value in accordance with existing regulations. That, in most cases, I presume, was a certain amount per thousand as "stumpage," and if the full value was not paid, I think suit might properly be brought for the residue to be paid, computing the value of the timber in the "boom", as the party in this instance would have had made a fraudulent settlement, and is not entitled to the benefit of the regulation then in force.

So, also, I think, where parties have made no payment, suits should

be brought for the full value of the timber in the boom, as I presume it can be shown that the timber passed into the boom and was taken from there for manufacture.

The papers are herewith returned.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

Hon. C. SCHURZ,
Secretary of the Interior.

DEPARTMENT OF JUSTICE,
Washington, December 8, 1877.

SIR: In reply to your letter of the 24th of October last, in which you ask advice as to the course to be adopted by you in proceeding upon trespasses upon the public lands reported to you committed in years prior to 1876, I inclose for your consideration in the matter an extract from a copy of a letter of the 3d instant, addressed to the Secretary of the Interior by the Commissioner of the General Land Office, giving suggestions in regard to the points raised by you, which views have the concurrence of the Secretary, and seem to me to offer a plan for dealing with this class of cases which is just and equitable.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

W. W. BILLSON, Esq.,
United States Attorney, Saint Paul, Minn.

[Telegram.]

JACKSON, MISS., *December* 6, 1877.

The ATTORNEY GENERAL, *Washington, D. C.:*

Colonel Carter, special agent Interior Department, now here, says marshal never seized any property of, or claimed by, Desmet. Do you still wish me to investigate the matter? Hard to tell what is true or false, coming from Mississippi coast, relative to logs and timber business.

L. LEA,
United States Attorney.

DEPARTMENT OF JUSTICE,
Washington, December 6, 1877.

SIR: I have the honor to inclose a copy of a telegram of this date from the United States attorney for the southern district of Mississippi, in relation to the alleged seizure by the marshal of certain property claimed by one Desmet, to which I have not replied.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

Hon. CARL SCHURZ,
Secretary of the Interior.

OFFICE UNITED STATES ATTORNEY FOR
SOUTHERN DISTRICT OF MISSISSIPPI,
Jackson, Miss., December 12, 1877.

SIR: Your dispatch of the 10th, on the subject of Judge Hill's order, was received yesterday. The order was made late Saturday evening, shortly before the adjournment of the court, and when I was unavoidably absent. It was not seen by me until the following Monday, when I wrote to the judge calling his attention to the objectionable provisions of the order, and thus anticipating your instructions in that regard. A copy of my letter is inclosed herewith. Before an answer to it was received General McKee arrived from Washington, and after remaining here long enough to be well posted, he went to see the judge at Oxford, whence he returned yesterday with a new order, sweeping away obstructions and giving the marshal ample powers.

Very respectfully,

L. LEA,
United States Attorney.

The ATTORNEY-GENERAL,
Washington, D. C.

JACKSON, MISS., *December* 7, 1877.

DEAR JUDGE: On reading this morning your order in the Griffin (logs and timber) case, it occurred to me that it is obnoxious to the objection of being in conflict with the recent joint order made by you and Judge Woods. That order directs that the practice, &c., in actions of replevin, shall be conformed, in the United States circuit court, to the practice, &c., in the State courts. You will recollect that by the act of the legislature, in relation to the act of replevin, the officer *executing the writ* is to estimate the value of the property, and the replevy-bond is to be in *double* the value so estimated. But your order directs a valuation to be made in a manner, and a bond to be taken in a penalty, unknown to the statute. I am at a loss to see how it can be sustained, for, if you can change the statutory rule as to the valuation and bond, may you not change it in every other particular, and so dispense with the law entirely? Knowing that you are apt to be right, the probability is that there is some view of your order which my mind has failed to take, and from which its validity is apparent. But it is possible that, from the pressure of business, fatigue, and weariness in the last hours of the court, you may have unwarily fallen into an error, and I have therefore thought it best to call your attention to the matter.

Yours, faithfully,

L. LEA.

Hon. R. A. HILL, *Oxford, Miss.*

DEPARTMENT OF JUSTICE,
Washington, December 18, 1877.

SIR: I have received your letter of the 11th instant, in which you state that you feel much injustice has been done you by the Secretary of the Interior and myself in the dispatch sent you on the 8th instant.

Matters in Mississippi, in reference to logs, did not seem to be dealt

with in a satisfactory manner. Undoubtedly the troubles attending them are serious and vexatious to a high degree, and while no definite charge was made against yourself, it seemed to us that sufficient energy was not used in the prosecution and protection of the rights of the government. If, in this matter, there has been any injustice done you, there is opportunity on your part to show this fact by your management of the cases referred to, as they will require hereafter, as they have heretofore, your best efforts to protect the rights of the United States.

Your letter of the 12th instant, inclosing a copy of that addressed to the Hon. R. A. Hill, on the 7th instant, has also been received.

I am glad that you anticipated my instructions in regard to the order of the judge, by calling his attention to what seems to me its objectionable provisions. I am glad to learn, also, that a new order has been issued by him sweeping away certain obstructions and giving the marshal his lawful powers.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

LUKE LEA, Esq.,
United States Attorney, Jackson, Miss.

HELENA, MONT., *November* 20, 1877.

DEAR SIR: In obedience to your instructions, I have caused to be seized the wood cut from the public lands in the hands and under the control of the parties named in your instructions.

Many others are equally guilty. Shall I proceed against all trespassers? Much excitement has been created by my action, as everybody here are using wood taken from public land, the people here claiming they are bound to do so by necessity.

I learn they are desirous of a compromise.

Your obedient servant,

R. S. ANDERSON,
United States Attorney for Montana Territory.

Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.

DEPARTMENT OF JUSTICE,
Washington, December 4, 1877.

SIR: I have the honor to transmit herewith, for your information and such advice as you may see fit to give, a copy of a letter of the 20th ultimo from the United States attorney for the Territory of Montana, in relation to the seizure of wood cut from the public lands in his district.

Very respectfully, your obedient servant,

CHAS. DEVENS,
Attorney-General.

Hon. CARL SCHURZ,
Secretary of the Interior.

HELENA, MONT., *November* 29, 1877.

SIR: I have had seized several thousand cords of wood, and will take general action throughout the Territory, where lumber or wood is found for sale cut on the public domain. Wood cut in the forest sells at an average price of about one dollar and twenty-five cents per cord; here in Helena about six dollars per cord. Should you see fit to compromise, say at one dollar per cord, you will be able to receive a very handsome sum from the trespassers.

The depredations in this part of the Territory have ceased. I have not as yet instituted criminal proceedings against parties, for the reason that the people everywhere throughout the Territory are, and have been, using wood taken from public lands. I do not think I could secure a conviction. In this opinion Governor Potts and Judge Wade concur, yet should you think proper I will proceed against them.

I have learned that some parties here are attempting to get up some kind of a petition against the reappointment of Marshal Wheeler. I desire to say in his behalf that he is well liked by the people and officials, as far as I know. I regard him as a faithful officer; his thorough acquaintance throughout the Territory, and knowledge of his duties as an officer, render him a valuable officer for the government at this time. I hope he may be reappointed; his time, I learn, expires in December.

His action in being willing to perform his duty in the wood seizures may have rendered him obnoxious to some, and has, I presume.

I have the honor to be, your obedient servant,

ROBT. S. ANDERSON,
United States Attorney.

Hon. CHAS. DEVENS,
Attorney-General.

DEPARTMENT OF JUSTICE,
Washington, December 13, 1877.

SIR: I have the honor to inclose for your information a copy of a letter, of the 29th ultimo, from the United States attorney for Montana, in relation to the seizure of timber cut from the public lands, and the prosecution of the trespassers in that Territory.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

Hon. CARL SCHURZ,
Secretary of the Interior.

[Telegram.]

HELENA, MONT., *December* 5, 1877.

Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

Parties have begun to settle at $1 per cord, good basis.

R. S. ANDERSON,
United States Attorney.

DEPARTMENT OF JUSTICE,
Washington, December 5, 1877.

SIR: I have the honor to inclose herewith a copy of a telegram, for your information, from R. S. Anderson, United States attorney for Montana, bearing date of the 5th instant.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

Hon. CARL SCHURZ,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., December 7, 1877.

SIR: I have the honor to inclose copies of telegrams this day filed by Hon. Martin Maginnis, relative to the seizure of lumber in the Territory of Montana. I would recommend that where suits have been instituted, settlement be made with the parties for the lumber now on hand at the rate of $2 per thousand feet.

As the law does not allow the granting of permission to cut timber upon the public lands, the request of Messrs. Holter & Bro. and Sanford & Evans must be denied.

Very respectfully,

C. SCHURZ, *Secretary.*

Hon. CHAS. DEVENS,
Attorney-General.

[Telegram.]

HELENA, MONT., *December* 1, 1877.

To Hon. MARTIN MAGINNIS,
Washington, D. C.:

We expect the marshal will seize our lumber Monday. Can you compromise upon our paying $1 or less per thousand feet on lumber and logs we have on hand, and obtain permission to continue cutting at same rate? Cord-wood has been settled at $1 per cord. Logs cut in timber are worth no more per thousand feet. If this cannot be done, what arrangements can be made? Answer.

A. M. HOLTER & BRO.
SANFORD & EVANS.

[Telegram.]

HELENA, MONT., *December* 4, 1877.

To Hon. MARTIN MAGINNIS,
Washington, D. C.:

Suits have been instituted against us. Do the best you can for us and let us know the result.

A. M. HOLTER & BRO.
SANFORD & EVANS.

DEPARTMENT OF JUSTICE,
Washington, December 8, 1877.

SIR: In accordance with your recommendation of the 7th instant, I have authorized the United States attorney for the Territory of Montana to settle with Messrs. Holter & Bro. and Sanford & Evans (in case suit has been brought against them for timber taken from the public lands) for the timber now on hand at the rate of $2 per thousand feet, and have informed him that, as the law does not allow the granting of permission to cut timber on the public lands, the request of these parties to do so at a certain rate must be denied.

Very respectfully, your obedient servant,

CHAS. DEVENS,
Attorney-General.

Hon. C. SCHURZ,
Secretary of the Interior.

DEPARTMENT OF JUSTICE,
Washington, December 8, 1877.

SIR: The Secretary of the Interior, by letter of the 7th instant, has furnished me with copies of dispatches from Messrs. Holter & Bro. and Sanford and Evans, looking toward some arrangement by which, upon payment therefor, the lumber and timber seized may be released to them and the suit brought dismissed, and also asking that permission be given them to continue cutting upon government lands at certain rates.

As recommended by the Secretary, you may, if suit has been brought against these parties, settle with them for the lumber now on hand at $2 per thousand feet.

Since the law does not allow the granting of permission to cut timber on public lands, their request for such permission must be denied.

Very respectfully,

CHAS DEVENS,
Attorney-General.

ROBERT S. ANDERSON, Esq.,
United States Attorney, Helena, Mont.

[Telegram.]

HELENA, MONT., *December* 11, 1877.

Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

Lumber-men desire a basis of settlement per thousand feet. Instruct me. Parties want lumber.

R. S. ANDERSON,
United States Attorney.

[Department telegraph.]

DEPARTMENT OF JUSTICE,
Washington, December 12, 1877.

To SECRETARY OF INTERIOR:

District attorney for Montana desires general basis of settlement per thousand feet. Would $2 per thousand feec, recommended by you in letter of 7th instant in special cases, be satisfactory, and shall I instruct accordingly?

CHAS. DEVENS,
Attorney-General.

[Department telegram.]

DEPARTMENT OF THE INTERIOR,
December 12, 1877.

HON. CHARLES DEVENS,
Attorney-General:

In all cases where seizures of lumber have been made in Montana settlements may be made at $2 per thousand feet.

C. SCHURZ.

[Telegram.]

WASHINGTON, D. C., *December* 12, 1877.

R. S. ANDERSON,
United States Attorney, Helena, Mont.:

Your telegram received. Secretary of Interior recommends, in all cases where seizures of lumber have been made in Montana, that settlements be made at $2 per thousand feet. You are instructed accordingly.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

HELENA, MONT., *December* 15, 1877.

HON. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

Price fixed for lumber very reasonable. It sells here at $25 per thousand feet.

R. S. ANDERSON,
United States Attorney.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, December 17, 1877.

Hon. SECRETARY OF THE INTERIOR:

The following telegram has been received:

HELENA, MONT., *December* 15, 1877.

Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

Price fixed for lumber very reasonable. It sells here at $25 per thousand feet.

R. S. ANDERSON,
United States Attorney.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

[Telegram.]

HELENA, MONT., *December* 17, 1877.

Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

Parties making settlement on basis fixed; plenty of wood; no suffering.

R. S. ANDERSON,
United States Attorney.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, December 18, 1877.

The Hon. SECRETARY OF THE INTERIOR:

The following telegram has been received:

HELENA, MONT., *December* 17, 1877.

Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

Parties making settlement on basis fixed; plenty of wood; no suffering.

R. S. ANDERSON,
United States Attorney.

CHAS. DEVENS,
Attorney-General.

GALVESTON, TEX., *December* 10, 1877.

SIR: I have the honor to report that, in conformity with the inclosed telegram, Mr. W. H. Slane, keeper of timber, called upon the district attorney for the purpose indicated in the telegram, and was referred to me. I discovered that there might be additional testimony important to the case, and sent Mr. Slane back to hunt it up. He returned on the 8th instant, and I immediately prepared a complaint against one Henry J. Lutcher for theft of certain logs in Orange County, Texas, the property of the United States, which was sworn to by Mr. Slane before a commissioner, and the warrant of arrest, with subpœna for witnesses, at once placed in the hands of the marshal, on evening of the 8th.

There is no commissioner at Orange nor in that section of the State; and it was this morning considered impolitic to go to the expense of probably $200 in order to have an examination of the case here before the commissioner, there being eight or ten witnesses, and the distance about one hundred and fifty miles, when the same expense will have have to be again incurred when the grand jury meets for the purpose of getting an indictment against the accused.

The grand jury will meet here on the first Monday in next month. There is no danger of Lutcher's running off, as he is located in Orange, owns a large lumber-mill there, and a man of means. He is said to be a pretty stiff sort of fellow to handle, and is very defiant, holding very offensive language againt the government, and threatening the timber-keepers with sheriff, shot-guns, &c. I think he ought to be bery vigorously prosecuted.

I sought to have a commissioner appointed at Orange or near the scene of the difficulty, but learned that there were but two or three persons suitable to act as commissioner, and even they might in some way be connected with or mixed up in "the business." I can have a suitable person of this city appointed a commissioner, who would go over and try the case, and so save to the government about $200 mileage of witnesses, &c., but the difficulty is, and there being no provision of law for defraying the reasonable expenses of the commissioner, mileage, and per diem going to and returning from the place of the trial or examination, unless, indeed, the same could be allowed as necessary expenses, to be approved by the district judge, the "account" of the commissioner being always subject to such approval. A commissioner could not be had to pay his expenses out of the small fees he would earn. It would evidently be cheaper to the government to pay the rea-reasonable expenses of a commissioner than to pay the mileage, &c., of so many witnesses.

Be pleased to at once instruct me, 1st, whether to go ahead with the prosecution before a commissioner or await the assembling of the grand jury; 2d, if to proceed at once before a commissioner, I shall do so before the commissioner *here*, at the probable cost suggested, or procure a commissioner to go over to the place of the offense, and there hear and dispose of it in conformity with law.

With all due respect, and ever obediently,

J. R. BURNS,
Assistant United States Attorney.

Hon. CHAS. DEVENS,
Attorney-General, United States.

P. S.—If the matter is left to my discretion, the interest of the government will be followed with a view to *economy.*

J. R. B.

[Telegram.]

LAKE CHARLES, *November* 26, 1877.

To W. H. SLAIN,
United States Keeper:

Take immediate possession of all Gardner's logs, subject to investigation. Seize McCorquodale's too. You will get letters to-night with instructions. Ask at hotel for Mrs. Summins, once Georgia Gors.

POSTLETHWAITE, *Deputy.*

[Telegram.]

LAKE CHARLES, *December* 1, 1877.

TO SLAME, *United States Keeper:*

Get ready and go to Galveston Monday. See United States attorney, and swear out warrant as directed. Will get instructions district attorney.

POSTLETHWAITE,
Deputy.

DEPARTMENT OF JUSTICE,
Washington, December 18, 1877.

SIR: Your letter of the 10th instant has been received.

You ask my advice as to what course should be adopted by you with reference to proceedings for trespass on the public lands by parties in Orange County, Texas.

Since the grand jury will convene early next month, and since it is not apprehended that before that time the parties implicated will remove themselves from process, it seems to me more advisable to delay proceedings until the assembling of the grand jury.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

J. R. BURNS, Esq.,
Assistant United States Attorney, Galveston, Tex.

UNITED STATES ATTORNEY'S OFFICE,
Grand Rapids, Wis., November 3, 1877.

SIR: Your letter of 27th ultimo, inclosing copy of letter from Secretary of Interior, under date of 25th ultimo, and of its inclosures, relating to alleged trespasses upon the public lands by John Woodlock and L. Wyatt, is received. I have taken steps to obtain further *necessary* information upon the subject of the alleged trespasses before commencing proceedings.

I understand your instructions to me to "cause said logs to be seized and sold," &c., to mean that I shall direct the "timber agent" appointed by the General Land Office to "seize and sell." There is no other way to "sell" except after the determination of suit to recover the logs.

I shall carry out your instructions as rapidly and effectually as possible.

Very respectfully, &c.,

CHAS. M. WEBB,
United States Attorney.

Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.

DEPARTMENT OF JUSTICE,
Washington, November 8, 1877.

SIR: Referring to your letter of the 25th ultimo, upon the subject of the cutting of timber upon the public lands in Wisconsin, I have the

honor to inclose for your information a copy of a letter of the 3d instant from the United States attorney for the western district of that State.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

Hon. CARL SCHURZ,
Secretary of the Interior.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, April 26, 1877.

GEORGE S. LACEY,
United States Attorney, New Orleans, La.:

As requested by Secretary of the Interior, I direct you to communicate with M. A. Carter, clerk in General Land Office, at Lake Charles, and proceed forthwith against depredators upon public lands, if the facts warrant such course.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

NEW ORLEANS, *May* 15, 1877.

CHAS. DEVENS,
Attorney-General, Washington City, D. C.:

I have caused about forty thousand logs unlawfully taken from government lands to be seized. Marshal informs me that his process is interfered with and his authority defied—unable to obtain posse. General Augur refuses the assistance of the troops, and marshal will have to abandon seizure if left unsupported. I refer you to your telegram under date 26th ultimo. What is to be done?

GEO. S. LACEY,
United States Attorney.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, May 15, 1877.

GEORGE S. LACEY,
United States Attorney, New Orleans, La.:

Communicate with M. A. Carter, at Lake Charles, and thereupon direct marshal to take proper steps to defend the property of the United States referred to in Carter's telegram to Commissioner of Land Office, dated May 14, 1877.

S. F. PHILLIPS,
Acting Attorney-General.

[Telegram.]

LAKE CHARLES, LA., *May* 14, 1877.

HON. J. WILLIAMSON,
Commissioner General Land Office, Washington, D. C.:

Will you please have United States marshal at New Orleans instructed to send sufficient force here to care for and list public property seized? The present force is entirely inadequate.

M. A. CARTER, *Agent.*

[Telegram.]

NEW ORLEANS, *May* 15, 1877.

Attorney-General DEVENS,
Washington, D. C.:

My deputy cannot raise civil posse, but must be re-enforced, as his attempts to seize are resisted, and his keepers' lives threatened. Will department secure arms from General Augur through War Department, and permit me to send fifty picked men at $2 a day and subsistence? Agent Carter estimated property seized in behalf of the government at $140,000. Time important.

PITKIN, *Marshal.*

[Telegram.]

NEW ORLEANS, LA., *May* 16, 1877.

CHARLES DEVENS,
United States Attorney-General, Washington City. D C.:

Marshal will send fifty picked men in twenty-four hours, if guns can be had as requested in his telegram to you yesterday. The depredators are numerous and very defiant. Support us and we will break up the gang.

GEO. S. LACEY,
United States Attorney.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, May 16, 1877.

GEORGE S. LACEY,
United States Attorney, New Orleans, La.:

Exhaust all means to execute your process by the civil power. All reasonable expenses will be paid; keep them within bounds.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, May 16, 1877.

GEORGE S. LACEY,
United States Attorney, New Orleans, La.:

Let the marshal make requisition upon General Augur for fifty Springfield rifles, with ammunition, and twelve revolvers. Am informed by the chief clerk War Department, in the absence of the Secretary, that the arms will be furnished. If marshal cannot get them, let him do the best he can with the means at his command. Do not use so large a number of men as fifty unless absolutely necessary.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, May 17, 1877.

GEORGE S. LACEY, Esq.,
United States Attorney, New Orleans, La.:

If marshal cannot execute his process for the timber with means at his command, telegraph me, and Secretary will authorize troops to be used as a posse to aid him.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

NEW ORLEANS, *May* 17, 1877.

To CHAS. DEVENS,
United States Attorney-General, Washington, D. C.:

The marshal, knowing your disinclination to call for troops, if the call can possibly be avoided, will try his picked men. He thinks it will be adequate; if not, you shall be promptly advised.

GEO. S. LACEY,
United States Attorney.

[Telegram.]

NEW ORLEANS, LA., *May* 17, 1877.

To CHAS. DEVENS,
United States Attorney-General, Washington City, D. C.:

Marshal has fifty picked men armed, but boats are extortionate for transportation, which, with pay and subsistence, will aggregate $6,000 for thirty days. Troops being cheaper, I do not wish to instruct the marshal to move without further advice from you. Inform me at once.

GEO. S. LACEY,
United States Attorney.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, May 18, 1877.

GEORGE S. LACEY,
United States Attorney, New Orleans, La.:

The expense seems very great. Inform me what is the extent of the resistance marshal has met with; what numbers engaged. Under whom do they act? Is our title clear, and has process issued? Give all particulars. I will then instruct; until then delay.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

NEW ORLEANS, *May* 18, 1877.

To Attorney-General DEVENS,
Washington, D. C.:

Agent Carter telegraphs me at 11 o'clock to-day that the situation at Lake Charles is perilous. I respectfully ask for immediate action.

J. R. G. PITKIN,
United States Marshal.

[Telegram.]

NEW ORLEANS, LA., *May* 18, 1877.

Hon. CHARLES DEVENS,
Attorney-General, Washington City:

M. A. Carter, special agent of the United States, after being upon the ground and examining into matters, reported all the logs and timbers sought to be seized as government property and immediate sequestration necessary to preserve them. The title of government to all the logs and timber he was assured was clear, and called for immediate action. Writ of sequestration has issued, and deputy marshal on the spot with five or six keepers. Carter also there. Marshal instructed to sequester such logs and property belonging to government as might be pointed out by Carter. James, chief ringleader, endeavoring to raise force and threatens Carter's life. Keepers driven from sequestered property, and same towed away by depredators. The marshal is under the impression that the influence of the trespassers is very widespread. Carter informs me that at least 40,000 logs belonging to the government have been sequestered by marshal; but it is impossible for marshal's force now on the ground to guard the same, and without prompt action a large part of the property seized will be lost. All my information is by telegraph, therefore not very full. Action here is delayed awaiting your instructions.

GEO. S. LACEY,
United States Attorney.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, May 18, 1877.

GEORGE S. LACEY,
United States Attorney, New Orleans, La.:

Your telegram, that the marshal is furnished with appropriate process for seizure, received. This being done he may make requisition on General Augur for aid in its service of a sufficient posse from the military, as process cannot be served without such aid, which posse will of course act under direction of the marshal. General Augur is instructed to respond. Let marshal of course use his ordinary force, as far as it will go, dismissing extraordinary force. Communicate this to the marshal and move at once.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

NEW ORLEANS, *May* 22, 1877.

To CHAS. DEVENS,
Attorney-General, Washington City, D. C.:

Revenue-cutter Dix left yesterday afternoon, five o'clock, for Calcasieu with about eighty soldiers.

* * * * * * *

GEO. S. LACEY,
United States Attorney.

[Telegram.]

NEW ORLEANS, *May* 31, 1877.

To Attorney-General DEVENS,
Washington, D. C.:

Funds must be sent me immediately to continue seizures and hold that seized in Calcasieu; funds entirely exhausted and my deputies and keepers cannot remain there longer without more money.

* * * * * * *

PITKIN, *Marshal.*

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, June 1, 1877.

J. R. G. PITKIN,
United States Marshal, New Orleans, La.:

Send the particulars of the demands upon you and the amount you must have.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

NEW ORLEANS, *June* 1, 1877.

To Hon. CHAS. DEVENS,
Attorney-General United States, Washington, D. C.:

The total cost for sixty days will be six thousand three hundred and seventy-five dollars, as follows:

Blankets and outfits for company, $125; provision for ten men sixty days, $700; pay-keepers sixty days, $1,800; traveling-expenses deputies and keepers, $500; tug-boats, towing sixty days, $3,000; advertising and incidental expenses, $250. The logs seized and to be seized extend over many miles of territory, consisting of three classes, thus: cut and in small streams adjoining land where cut, those in main streams ready for towing, and those at mills.

J. R. G. PITKIN,
United States Marshal.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, June 1, 1877.

J. R. G. PITKIN,
United States Marshal, New Orleans, La.:

When the property is sold the expenses must come out of the proceeds, as costs of the case, and not out of our judiciary fund; and you will see that this is done. In the mean time I will advance you, to meet expenses which must be paid now, $4,000, all I can now spare from the judiciary fund, which you know is drawn very low, and this should be returned when money is made from the sale of the property.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, June 2, 1877.

GEORGE S. LACEY, Esq.,
United States Attorney, New Orleans, La.:

Am informed that efforts are being made to bond property under seizure before proper valuation, appraisement, and inventory can be made, thus contributing to defeat the government's rights; besides, seizures are not yet completed. Be vigilant, and see to it that the rights of the United States are fully protected.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, June 19, 1877.

GEORGE S. LACEY, *New Orleans, La.:*

It is reported that the persons appointed by Judge Billings to inventory and appraise the logs seized are in the interest of the trespassers,

and there is danger that they fail to inventory all that have been seized, and also undervalue. Use the utmost vigilance, that we have ample and sufficient security.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

NEW ORLEANS, *June* 19, 1877.

TO CHAS. DEVENS,
Attorney-General, Washington City:

An *ex parte* order was granted allowing Commissioner Chamberlin to take proof, and release upon bond, but as soon as it came to my knowledge I applied to Judge Billings and he instantly vacated the order this morning. I instructed marshal that not a log was to be released except upon order of court, and I will see that on such order government is fully protected.

I am afraid the appraisers are not acting fairly, but my eye is on them, and will not be taken off. Since Chamberlin's authority has been revoked appraisers cannot do much.

GEO. S. LACEY,
United States Attorney.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, June 20, 1877.

GEORGE S. LACEY,
United States Attorney, New Orleans, La.:

Telegrams received and approved. Have full confidence in your energy and discretion in this important matter.

CHAS. DEVENS,
Attorney-General.

DEPARTMENT OF JUSTICE,
Washington, June 20, 1877.

SIR: I inclose with this a copy of a telegram, dated the 17th instant, to the Commissioner of the General Land Office, from M. A. Carter, who is employed with the United States marshal's force in the seizure and appraisement of the logs claimed by the government.

He gives a description of the resistance offered the United States Government, and fears that without prompt action the interests of the government will suffer.

You will please take such action as to effect the object and intention of the dispatches of yesterday and this morning to you.

Very respectfully,

S. F. PHILLIPS,
Acting Attorney-General.

GEORGE S. LACEY, Esq.,
United States Attorney, New Orleans, La.

UNITED STATES ATTORNEY'S OFFICE,
DISTRICT OF LOUISIANA,
New Orleans, June 25, 1877.

SIR: * * * I have thought it advisable to place you in possession of the exact situation of matters up to the time of writing.

1. The marshal is proceeding to sequester the logs as rapidly as possible, and to take an inventory of the logs sequestered, in accordance with law, and without reference to the appraisers.

3. The appraisers are making their own inventory and appraisement, which it is intended shall serve as a basis for a motion to bond, but which I will oppose to the last if it is in the slightest degree affected with unfairness. With a view to such opposition, I have instructed Special Agent Carter and the marshal in charge closely to watch every movement of the appraisers.

.2 No power to release, except upon future order of the court, can be pretended, and I am doing what I can to prevent such order from being granted *ex parte*.

4. So far, nothing appears to me detrimental to the interests of government.

Before concluding, permit me to suggest to you the propriety of requesting the Commissioner of the Land Office to instruct Special Agent Carter to collect the evidence of government's title to the logs in controversy, and to report the same to me at as early a moment as may be practicable.

GEO. S. LACEY,
United States Attorney.

Hon. CHARLES DEVENS,
United States Attorney-General.

UNITED STATES ATTORNEY'S OFFICE,
DISTRICT OF LOUISIANA,
New Orleans, July 2, 1877.

SIR: * * * I have obtained from the clerk a copy of the order lately granted by the judge, and, with a view to inform you of the situation of matters at time of writing, I herewith inclose the same to you.

Very respectfully,

GEO. S. LACEY,
United States Attorney.

Hon. CHARLES DEVENS,
United States Attorney-General.

United States circuit court.

UNITED STATES
vs.
JOSEPH HAMPTON ET AL. } No. 8207.

To the honorable the judges of the United States circuit court, fifth circuit, district of Louisiana:

The petition of the United States respectfully represents, that the order heretofore granted in reference to the right to bond is not fully

understood by the United States commissioner referred to in such order, and to prevent misunderstanding on his part, a further and supplemental order is expedient.

Wherefore your petitioners pray that your honors, with a view to make your original intention fully explicit, will make and grant such a further and additional order as to your honors may seem right and proper.

GEO. S. LACEY,
United States Attorney.

Order.

Circuit court of the United States, fifth judicial circuit, district of Louisiana.

UNITED STATES
vs.
JOSEPH HAMPTON ET AL. } No. 8207.

It is ordered that, so far as the order giving leave to bond could be construed to give any discretion to the commissioner with reference to any intervenor having the right to bond, the same be vacated; that the property sequestered will be allowed to be bonded by any intervenor only with the consent of the district attorney, and that the duties of the commissioner be confined to a justification of sureties offered, and upon notice to the district attorney.

EDWARD C. BILLINGS,
Judge.

CLERK'S OFFICE.

A true copy of the original on file.
New Orleans, July 2, 1877.
[SEAL.]

F. B. VINOT,
Deputy Clerk.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, D. C., July 10, 1877.

GEORGE S. LACEY,
United States Attorney, New Orleans, La.:

Do not consent to any release of timber seized without knowledge and concurrence of agent of Interior Department. This at request of Secretary.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

NEW ORLEANS, *July* 30, 1877.

To Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

Use of revenue-cutter Dix respectfully requested for four days to make government seizures on lands adjacent to Pearl River and Bayou

Lacombe. Transportation of Special Agent Carter and marshal's deputies to various places would be facilitated. Will you ask Treasury Department to permit this?

JACK WHARTON,
United States Marshal.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, July 30, 1877.

JACK WHARTON,
United States Marshal, New Orleans, La.:

Collector will be ordered to place revenue-cutter at your disposal for four days for the purpose indicated in your dispatch of even date.

CHAS. DEVENS,
Attorney-General.

OFFICE OF UNITED STATES MARSHAL,
DISTRICT OF LOUISIANA,
New Orleans, August 21, 1877.

SIR: The interest of the government in the Calcasieu Parish log seizures would be greatly advanced if the honorable the Department of Justice would authorize me to charter or otherwise hire for thirty days or thereabouts a steam-tug, the cost of which will not exceed fifteen hundred dollars. More than this amount would be saved to the government in the gathering and final sale of the logs which are scattered over about sixty miles, a great many of which could not be sold or otherwise made use of. Considering that this course will be beneficial in every respect, I hope you may speedily grant such authority.

Very respectfully,

JACK WHARTON,
United States Marshal.

Hon. CHARLES DEVENS,
Attorney-General United States, Washington, D. C.

DEPARTMENT OF JUSTICE,
Washington, August 29, 1877.

SIR: In reply to your letter of the 21st instant, I have to say that I do not think it expedient, nor do I feel warranted in encouraging the expense of chartering a steam-tug for the purposes mentioned by you.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

JACK WHARTON, Esq.,
United States Marshal, New Orleans, La.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, August 25, 1877.

J. W. GURLEY, Esq.,
Assistant United States Attorney, New Orleans, La.:

At the instance of the Secretary of the Interior, and in the absence of the district attorney for Louisiana, I instruct you to take special care that none but parties legally entitled to do so be allowed to intervene in proceedings pending and to be instituted in reference to timber claimed by the government, and in general that you take particular care in securing the interests of the United States in such connection.

Very respectfully,

S. F. PHILLIPS,
Acting Attorney-General.

[Telegram.]

NEW ORLEANS, 8, 27, 1877.

To Hon. S. F. PHILLIPS,
Attorney-General, Washington City, D. C.:

The court refused intervenors' application to reduce the valuation of the logs as already fixed. I obtained an order requiring intervenors to make a *prima facie* showing of ownership and possession at the time of the sequestration, before being allowed to bond.

J. W. GURLEY,
Assistant United States Attorney.

[Telegram.]

NEW ORLEANS, 8, 30, 1877.

Hon. S. F. PHILLIPS,
Acting Attorney-General United States, Washington, D. C.:

Court has sustained all the points made by the government in the log case, and adjourned. The property, if not bonded in a fixed time by the defendants or intervenors or by the government, is to be sold. None bonded as yet, nor likely to be.

J. W. GURLEY,
Assistant United States Attorney.

[Telegram.]

NEW ORLEANS, *September* 3, 1877.

To Hon. CHAS. DEVENS,
Attorney-General of United States, Washington City, D. C.:

I obtained the order of sale by consent and at the instance of Carter and the marshal's. Logs deteriorating in value; in great danger of total loss from freshets, and kept at very heavy expense; none yet bonded; time expires to-day; government may bid at the sale; Carter left for Washington on the first instant, and will give particulars.

J. W. GURLEY,
Assistant United States Attorney.

DEPARTMENT OF JUSTICE,
Washington, September 7, 1877.

SIR: I forward herewith a copy of a letter of this date from Hon. Carl Schurz, Secretary of the Interior. In accordance with the request contained therein, I instruct and direct you to make application to Hon. Edward C. Billings, United States district judge for the district of Louisiana, for a supplemental order authorizing the United States marshal to accept the bid of the government for said logs in case it becomes necessary to purchase them in, and make return there to the court as money received, to await final action in the case.

Very respectfully,

S. F. PHILLIPS,
Acting Attorney General.

GEORGE S. LACEY, Esq.,
United States Attorney, New Orleans, La.

P. S.—Your telegram to Judge Billings in reference to the above matter has been forwarded.

EBBITT HOUSE, *September 7, 1877.*

Hon. E. C. BILLINGS, 100 *Temple Street, New Haven, Conn.:*

The order of sale in the Calcasieu log case may operate to the injury of the government, if a combination to effect a sale at an undervaluation is not broken up. To accomplish this an order supplemental to that for the sale will have to be granted, directing the marshal in case the logs are bought in by the United States not to exact payment of bid in cash, but government to hold the amount in her hands until final judgment. Such an order will subserve the ends of justice, and be in harmony with the practice which exacts no bond from the government or the State. Will you give me such an order, or one tantamount thereto? If you will, I will leave for New Haven to-night and see you to-morrow. Please answer at once.

GEO. S. LACEY.

[Telegram.]

NEW ORLEANS, *September 7, 1877.*

To Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

The following telegram just received:

LAKE CHARLES, *September 7.*

UNITED STATES MARSHAL, *New Orleans:*

Heavy rains for past five days; river booming; am using every effort to prevent logs getting loose; have every stream strongly boomed, yet I expect the flood will bring them down; if so, many will be lost. Am I authorized to hire tug-boat for short time if necessary?

GAINEY, *Deputy.*

What shall I do?

JACK WHARTON,
Marshal.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, September 8, 1877,

JACK WHARTON, Esq.,
United States Marshal, New Orleans, La.:

Your telegram of yesterday received. Carter the agent will be in New Orleans on Monday. Consult with him.

A. R. DUTTON,
Chief Clerk.

DEPARTMENT OF JUSTICE,
Washington, April 27, 1877.

SIR: I inclose herewith a copy of a letter of the 25th instant, addressed to me by the Secretary of the Interior, and the inclosures accompanying the same, to wit, a copy of a letter of the 24th, addressed to the Secretary by the Commissioner of Indian Affairs, and a copy of a letter of the 11th, addressed to that officer by James C. Bridgman, esq., Indian agent.

Complying with the request of the Commissioner (seconded by the Secretary), you are hereby directed to press the prosecution of the parties who, as is stated by the agent, have been and are engaged in cutting timber upon the northwest part of the Stockbridge reservation. You will act in this matter with diligence and vigor, and take all legal remedies at your command to obtain possession of the severed timber, and prevent further trespassing upon the reservation.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

J. W. HAZELTON, Esq.,
United States Attorney, Milwaukee, Wis.

DEPARTMENT OF JUSTICE,
Washington, May 1, 1877.

SIR: Inclosed herewith is sent a copy of a letter of the 27th ultimo, addressed to me by the Secretary of the Interior, and the documents which accompanied the same.

In compliance with his request, you are hereby directed to put yourself in communication with the local land-officers, the special agent, and the witnesses in the cases referred to, and if, upon conference with them, you find the facts to be as represented, you will forthwith commence legal proceedings against the parties alleged in these papers to be trespassing on the tracts of the public lands that are found to be unappropriated.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

WM. W. BILLSON, Esq.,
United States Attorney, Saint Paul, Minn.

DEPARTMENT OF JUSTICE,
Washington, May 19, 1877.

SIR: I inclose a copy of a letter of 18th instant, addressed to me by the Secretary of the Interior; also a copy of a report of the 15th addressed to him by the Commissioner of the General Land Office, and the papers alluded to therein. Complying with the request of the Secretary, I hereby direct you to make thorough investigation of the depredations on public timber, and the conversion, described in the report of the Commissioner; and if in your judgment the facts shall warrant it, you will take legal steps to recover the value of the timber, or the money received therefor, and such other action as in your opinion is necessary to reach the end proposed in said report.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

W. W. BILLSON, Esq.,
United States Attorney, Saint Paul, Minn.

DEPARTMENT OF JUSTICE,
Washington, June 21, 1877.

SIR: I inclose herewith copy of a letter of the 18th instant, with its inclosures, from the Secretary of the Interior, in relation to certain depredations on public lands in the State of Wisconsin.

You will examine the circumstances of the case, and take such action as will best carry out the wishes of the Secretary in the matter.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

WILLIAM W. BILLSON, Esq.,
United States Attorney, Saint Paul, Minn.

DEPARTMENT OF JUSTICE,
Washington, July 28, 1877.

SIR: I referred your letter of the 11th instant to the Secretary of the Interior for his advice upon the matters set forth by you, and herewith I inclose his reply.

In accordance with the suggestion of the Secretary, you will direct the marshal to hold the logs and timber seized or to be seized in suits already or hereafter to be commenced, until the final determination of said suits, where bonds are not given by defendants for the restoration of the property, or until such time as the real value of the logs can be obtained.

Should any proposition be made to you or to the marshal to purchase any of the timber seized, you will please report such propositions to me, and also the appraised value of said timber or logs.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

W. W. BILLSON, Esq.,
United States Attorney, Saint Paul, Minn.

[Telegram.]

SAINT PAUL, MINN.,
August 1, 1877.

To ATTORNEY-GENERAL,
Washington, D. C.:

I have writs of replevin for large amounts of pine logs charged as being cut on government land. The Mississippi River Boom Company, Minneapolis, chartered by State, claim boomage on said logs. When I take possession am I authorized to pay it and charge as part of expense of seizure?

R. N. McLAREN,
United States Marshal, Commissioner.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, August 1, 1877.

R. N. McLAREN,
United States Marshal, Saint Paul, Minn.:

You have no authority to pay the boomage claimed. It would appear that boom company should be made co-defendants in the replevin suit, in which their rights will be protected.

CHAS. DEVENS,
Attorney-General.

DEPARTMENT OF JUSTICE,
Washington, August 17, 1877.

SIR: I inclose with this a copy of a letter from the Secretary of the Interior, of the 14th instant, with its inclosures, upon the subject of certain trespasses upon public lands at Stillwater, Minn., by Matthews and Dinsmore, and by James McDermott.

In accordance with the request of the Secretary you will please examine this matter, and take such action as the facts may warrant.

Very respectfully,

S. F. PHILLIPS,
Acting Attorney-General.

WM. W. BILLSON, Esq.,
United States Attorney, Saint Paul, Minn.

DEPARTMENT OF JUSTICE,
Washington, August 31, 1877.

SIR: I inclose herewith, for your information and guidance in the matter of compromising cases where logs and timber have been seized upon process, a copy of a letter of the 29th instant, addressed to me by the Secretary of the Interior.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

WM. W. BILLSON, Esq.,
United States Attorney, Saint Paul, Minn.

DEPARTMENT OF JUSTICE,
Washington, September 6, 1877.

SIR: I inclose a copy of a letter of the 3d instant, addressed to me by the Secretary of the Interior, which relates to a mode of paying the costs of providing boomage for the logs seized by the government. While I decline to instruct you to provide the means to hold the logs at your own expense, I desire that you will do your utmost and resort to all lawful expedients which may be within your reach to hold this property of the government's until means shall be provided for that purpose.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

WM. W. BILLSON, Esq.,
United States Attorney, Saint Paul, Minn.

DEPARTMENT OF JUSTICE,
Washington, September 26, 1877.

SIR: Replying to your letter of the 15th instant, in which you make suggestions relative to the sale of the logs seized and now held by the United States, I have to call your attention to the following plan for their disposal, which is substantially the same as proposed by yourself, viz:

I. "A careful appraisement of all the logs, or a revision by Mr. Davis of his appraisement, as suggested by the United States attorney, if this will produce the same result."

II. "Notice by publication that, for thirty days, offers will be received by the marshal for the private sale of the logs, at not less than their appraised value. Sales to be made during that period if advantageous offers are received; and if any logs remain unsold at the end of thirty days, the same to be offered for sale at public auction, on a day which has been specified, at not less than their appraised value; and if any remain unsold, to be held by the marshal for further direction."

This is the plan proposed by the Commissioner of the General Land Office, and approved of by the Secretary of the Interior. Assuming that you now have the right to sell the logs under the legal process instituted by you either on account of the failure of the defendants to rebond the same, or by virtue of some order of the court, I know of no reason why this is not a satisfactory plan. I shall of course rely upon you to see that all legal steps are taken to authorize this proceeding.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

W. W. BILLSON, Esq.,
United States Attorney, Saint Paul, Minn.

OFFICE OF UNITED STATES ATTORNEY,
Saint Paul, Minn., October 2, 1877.

SIR: I have the honor to acknowledge the receipt of your favor of 26th ultimo, relating to the sale of logs seized as belonging to the United States. In reply, I have to report, we have taken immediate measures

to carry the plan of the honorable Secretary of the Interior and Commissioner of the General Land Office into execution.

Under our replevin law, unless the defendant re-bonds the property seized within three days after seizure, the law officer turns it over to the plaintiff, who then takes possession of it with unlimited control over it. In case of a verdict in defendant's favor, he is entitled to a judgment for the return of the property if it can be found in plaintiff's possession, and for its value in case it cannot be found. Of course, in these cases no judgment could be rendered against the government in any event; but in case of an adverse verdict rendered on the merits, I presume the parties could justly demand restitution of the property if still held by the government, or, if sold, then its value.

In cases where there seems to be any doubt whatever of the government's ability to substantiate its claim, I presume it will be prudent to hold the logs until the litigation is concluded, unless they can be sold at figures which would unquestionably cover any claim defendants might make for their seizure. I shall endeavor to see that no logs are sold under circumstances which will admit of any prejudice to the government. The cases are all in good condition as regards evidence, and I see no probability of failure in any of our civil suits.

Very respectfully,

WM. W. BILLSON,
United States Attorney.

Hon. CHARLES DEVENS,
Attorney-General, Washington, D. C.

DEPARTMENT OF JUSTICE,
Washington, October 4, 1877.

SIR: Referring to your letters of September 25 and 27, copies of which were forwarded to the Secretary of the Interior, relative to the sale of logs in Minnesota and to an offer for the same by George E. Camp and Dr. Butler, I now inclose copies of the Secretary's reply, wherein he declines to accept less than the appraised value.

You will act in accordance with the decision of the Secretary.

Very respectfully,

CHAS. DEVENS,
Attorney General.

WILLIAM W. BILLSON, Esq.,
United States Attorney, Saint Paul, Minn.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, May 17, 1877.

DAVID J. BALDWIN,
United States Attorney, Galveston, Tex.:

Render to Mr. M. A. Carter, special agent of the General Land Office, who is looking after timber of the government's, and who is now at Lake Charles, La., such assistance as he may ask for and which is in your power in the prosecution of his work.

CHAS. DEVENS,
Attorney General.

DEPARTMENT OF JUSTICE,
Washington, July 3, 1877.

SIR: I inclose herewith copy of a letter addressed to me by the Secretary of the Interior, dated the 30th ultimo, together with its inclosures, upon the proposed settlement of the liabilities of Messrs. Armstrong & Bailey and Mr. W. S. Godbe, growing out of their trespasses upon public lands in Utah.

As will appear, these parties admit that they have cut timber in quantities in the Big Cottonwood Cañon, in Salt Lake County, and, desiring to make settlement for the same, have deposited money with the receiver at Salt Lake City for that purpose.

In accordance with the request of the Secretary, you will please make a thorough examination as to the amount and value of timber cut, tracts of land trespassed upon, and the extent of the damage and waste committed.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

SUMNER HOWARD, Esq.,
United States Attorney, Salt Lake City, Utah.

DEPARTMENT OF JUSTICE,
Washington, July 12, 1877.

SIR: Your early attention is called to the inclosed copy of a letter addressed to me by the Secretary of the Interior, and the papers accompanying the same, by which it appears that certain persons have been and are engaged in cutting down and removing timber in large quantities upon public lands in Mendocino County, California, known as the "Albion Grant."

Pursuant to the request of the Secretary of the Interior, you will take proper measures to protect the interests of the United States, and punish any violation of law in the premises.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

J. M. COGHLAN, Esq.,
United States Attorney, San Francisco, Cal.

SAN FRANCISCO, *October* 8, 1877.

SIR: Complaint has been made at this office that Oliver Loukey and E. R. Smith have caused to be cut on surveyed lands of the United States in the county of Nevada, in this State, four million feet of square pine timber; one lot of two million feet being of the estimated value of six dollars per one thousand feet, and the other lot of two million feet of the value of seven dollars per thousand feet.

Complaint has also been made that Seth Martin and D. W. Leach have caused to be cut on surveyed lands of the United States in the county of Nevada two million feet of pine timber of the value of seven dollars per thousand feet.

This timber has been placed near the track of the Central Pacific Railroad, for the purpose of sale.

In a suit heretofore instituted in a case of this kind, the amount realized from the sale of timber, seized on civil process, did not cover the expenses of the seizure and sale, timber men in the neighborhood refusing to buy the timber in contest.

In the cases under consideration I have been assured that responsible persons are willing to give the necessary bonds on behalf of the United States in case of seizure under civil process.

In this connection I will further state, that the persons named have been indicted by the United States grand jury for causing to be cut the timber specified, and they have been placed under bonds to await trial.

Shall I commence civil suits for the recovery of the timber?

Very respectfully,

J. M. COGHLAN,
United States Attorney.

HON. CHARLES DEVENS,
Attorney-General, Washington, D. C.

DEPARTMENT OF JUSTICE,
Washington, October 23, 1877.

SIR: I have received your letter of the 8th instant, in which you report that certain parties in Nevada County have cut, for the purpose of sale, from the public lands timber in large quantities, and ask instructions as to bringing civil proceedings against them.

In view of the fact that this timber is of the value of $40,000, and that seizures under like circumstances have been made in other States without difficulty and the timber readily sold at the appraised value, I am of opinion that you should institute legal proceedings at once to seize the timber named, and after appraisal that the same should be sold at not less than its appraised value, and the proceeds therefrom paid into the Treasury of the United States.

I have consulted the Secretary of the Interior upon the subject, and he agrees with me that you should be instructed as above, and informs me that should you need assistance in procuring the necessary testimony to establish the right of the government to said timber, upon your request a special agent of his department will be sent to render you the necessary assistance.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

JOHN M. COGHLAN, Esq.,
United States Attorney, San Francisco, Cal.

DEPARTMENT OF JUSTICE,
Washington, October 15, 1877.

SIR: I inclose herewith a copy of a letter dated the 15th instant, from the Secretary of the Interior, and its inclosure, being a report of Special Agent Hobbs in relation to depredations committed upon public lands in California.

It appears that certain persons have made settlements upon these lands, not for the purpose of cultivating the soil as contemplated by the

statutes, but for the purpose of cutting and selling the valuable timber growing thereon.

It also appears that Messrs. C. and L. E. White have given material aid to persons so engaged and have purchased from them ties cut from certain tracts.

You will investigate this case and, in accordance with the request of the Secretary, institute legal proceedings against all the parties named, to punish them for the trespasses committed and to collect from them the damages sustained. If any of the lumber or timber cut from said lands is now subject to seizure, you will cause the same to be seized and sold and the proceeds thereof turned into the Treasury of the United States.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

JOHN M. COGHLAN, Esq.,
United States Attorney, San Francisco, Cal.

DEPARTMENT OF JUSTICE,
Washington, November 20, 1877.

SIR: I transmit herewith a copy of a letter of the 16th instant, addressed to me by the Secretary of the Interior, and the reports of Special Agent A. M. Hobbs (sixteen in number), which accompanied the same, in relation to the cutting of timber upon lands in California alleged to be public lands, and, in accordance with the Secretary's request, do hereby direct you to make thorough inquiry into the facts in each case, and if, in your judgment, they should so warrant, to institute a prosecution in such case, taking immediate steps to cause so much of the timber as is subject to seizure to be seized and sold, and the proceeds arising therefrom paid into the Treasury of the United States.

You will notice the observation of the Secretary in reference to the purpose for which these lands have in many cases been entered. Where the entries were made in good faith and under the homestead or pre-emption law, you will not interfere with the settlers; but where they were made not for the purpose of improving and cultivating the land, but for the purpose of cutting and disposing of the timber and then abandoning them, the timber will be subject to seizure, and the parties guilty of cutting it you will prosecute as if no entry had been made.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

JOHN M. COGHLAN, Esq.,
United States Attorney, San Francisco, Cal.

DEPARTMENT OF JUSTICE,
Washington, July 24, 1877.

SIR: I send herewith a copy of a letter of the 18th instant, addressed to me by the Secretary of the Interior and the inclosure of said letter.

In compliance with the request of the Secretary, and referring to the communication of the Commissioner of the General Land Office, I instruct you to take active and vigorous measures to secure the detection,

apprehension, trial, and punishment of all persons committing or who have committed depredations upon the timber lands of the Pawnee reservation, referred to by the Commissioner.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

JAMES NEVILLE, Esq.,
United States Attorney, Omaha, Nebr.

DEPARTMENT OF JUSTICE,
Washington, August 20, 1877.

SIR: I transmit herewith a copy of a letter of the 18th instant from the honorable Secretary of the Interior, in which it is requested that you co-operate with M. A. Carter, esq., special agent for the Interior Department, in the proposed seizure of timber on Pearl River, the lower boundary between the States of Mississippi and Louisiana.

In accordance with the above request, you will place yourself at once in communication with Mr. Carter and extend to him any legal assistance which may be proper in the contemplated seizure.

Very respectfully,

S. F. PHILLIPS,
Acting Attorney-General.

LUKE LEA,
United States Attorney, Jackson, Miss.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, November 8, 1877.

LUKE LEA,
United States Attorney, Jackson, Miss.:

The following telegram has been received. Have no means of knowing its accuracy except what appears on its face. Please look after the matter, and see that the marshal, while he executes his process, does not exceed its proper limits.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

PASCAGOULA, MISS., *November* 7, 1877.

Senator L. Q. C. LAMAR and Hon. C. E. HOOKER,
Washington, D. C.:

J. J. Gainy, as deputy marshal southern district of Mississippi, claims to have seized 100,000 logs on Pascagoula River. Has placed guards over East Pascagoula bridge, who interfere with passage of vessels, and is indiscriminately seizing logs at mill, forbidding loading vessels, and ordering mills to stop, under a pretended sequestration writ, which is based upon a mere petition of United States, signed by Luke Lea, dis-

trict attorney, entitled United States *vs.* John Manning and others named, and a large number of persons unknown, which petition only alleges in general terms that defendants unlawfully have a large number of pine logs, charcoal, and other property of the United States, which petitioner believes defendant will carry out of jurisdiction of the court and will conceal, &c. No value is named and no particular description of property. This petition is addressed to Judge Hill and sworn to, and is the only foundation of the writ, which follows the general allegations of petition in terms, viz, a large number of pine logs, lumber, charcoal, and other property, &c., commanding that same be seized, &c., until further order of court, reciting that said property was taken from lands of United States, and now in possession of defendants.

We are not parties defendant to proceedings, yet, without any state ment on oath of probable cause, our property is seized and business broken up at great loss to ourselves and this community. Deputy marshal understood to be without pecuniary responsibility, and without interference at Washington, our losses will be irreparable. Please see and act with Senators Morgan, of Alabama, and Jones, of Florida, in our behalf. We ask only the rights of citizens under legal process and laws of the country.

E. F. GRIFFIN,
W. DEANY,
BERCIER & DESMET,
A. C. DANNER,
and others.

OFFICE OF UNITED STATES ATTORNEY,
SOUTHERN DISTRICT OF MISSISSIPPI,
Jackson, November 9, 1877.

SIR: On receipt of your telegram of yesterday, I addressed a communication to Marshal Hunt, of which the inclosed is a copy.

* * * * * * *

Very respectfully,

L. LEA,
United States Attorney.

[Telegram.]

OFFICE OF UNITED STATES ATTORNEY,
SOUTHERN DISTRICT OF MISSISSIPPI,
Jackson, November 9, 1877.

THOS. W. HUNT, Esq.,
United States Marshal, present:

From the dispatch of the Attorney-General herewith, *I apprehend that* your deputy, Mr. Gainey, is transcending the authority vested in you, by virtue of the process placed in your hands commanding you to seize logs, lumber, &c., taken unlawfully from the lands of the United States. That process authorizes the seizure of nothing but property of the United States wrongfully in the possession, or under the control of persons having no right to its possession or control. It does not authorize the seizure of any private property, and such seizure would be a trespass which would make you answerable for damages sustained by the owner of the property. You have no right to obstruct or interfere with

the navigation of Pascagoula River, or any other water, except in so far as it may be necessary, in particular instances, to enable you to seize and hold property of the United States to be seized or held by virtue of the process in your hands.

My advice is that you seize no property unless you have satisfactory evidence that it is the property of the United States. Otherwise, great injury and injustice may be done to individuals, which it is your duty to avoid, as well as to be energetic and resolute in protecting the interest of the government.

Very respectfully,

L. LEA,
United States Attorney.

[Telegram.]

JACKSON, MISS., *November* 10, 1877.

The ATTORNEY-GENERAL,
Washington, D. C.:

Court has ordered marshal to release all timber, &c., not found when seized in possession of parties named in writs of sequestration, and will, I think, on Monday, quash the writ as illegally issued.

L. LEA,
United States Attorney.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, November 10, 1877.

LUKE LEA,
United States Attorney, Jackson, Miss.:

Your telegram received. If any informality in original proceedings for seizure of timber, &c., see that new and correct proceedings are had.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, November 12, 1877.

LUKE LEA,
United States Attorney, Jackson, Miss.:

Have seen telegram of Special Agent Bartley to Commissioner of General Land Office. If logs were released for informality of writ only, have new writ issued in compliance with law, and the logs, &c., seized again and held, if possible.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

JACKSON, MISS., *November* 12, 1877.

The ATTORNEY-GENERAL,
Washington, D. C.:

Order made quashing writ not for informality but as inherently illegal. Replevin held to be the remedy in Mississippi.

L. LEA,
United States Attorney.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, November 13, 1877.

LUKE LEA,
United States Attorney, Jackson, Miss.:

If replevin held to be the remedy, adopt that to recover the government property.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

JACKSON, MISS., *November* 12, 1877.

Attorney-General DEVENS,
Washington, D. C.:

Acting under writ of sequestration I have had eight deputies and timber-keepers employed near East Pascagoula. On Saturday the court made an order that property be held only of those who were specially named in the writ. Under this order my principal deputy has discharged all *duties* (deputies?) and keepers, and they are preparing to leave. It was considered best to get deputies from a distance to do this work, and some were sent from this place. Shall I recall or keep them at Pascagoula for further service? I will forward requisition today for $8,000 for this special service.

THOS. W. HUNT,
United States Marshal.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, November 13, 1877.

THOS. W. HUNT,
United States Marshal, Jackson, Miss.:

I cannot direct in detail the service of your process upon imperfect information of telegram. Consult district attorney. Do not understand how $8,000 can be necessary for service of the process. Send full particulars with any requisition.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, November 23, 1877.

LUKE LEA, Esq.,
United States Attorney, Jackson, Miss.:

Am informed State of Alabama has replevied some pine logs and lumber claimed by the United States.

Take every necessary action to recover possession of this property for the United States without delay; or, if that cannot be done, to protect our interest so that when the matter is adjudicated as to the claim of the State of Alabama we may successfully prosecute our claim.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, November 26, 1877.

THOMAS W. HUNT,
United States Marshal, Jackson, Miss.:

I am informed by telegram of Mr. Bartley to Commissioner of Land Office that the sheriff of Jackson County, Mississippi, has seized and claims possession of a part of the property now in possession of Deputy United States Marshal Gainey under a writ issued by the United States court.

You will use all necessary diligence to retain actual possession of said property until proper bonds are given for its release, or the right to it is adjudicated by the court. If force is resorted to to obtain possession of property, you will report the same to me at once. Instruct Gainey accordingly.

CHAS. DEVENS,
Attorney-General.

DEPARTMENT OF JUSTICE,
Washington, December 1, 1877.

SIR: I transmit herewith a copy of a letter of the 27th ultimo, addressed to me by the Secretary of State, in which a statement is made of the case of Mr. Emile De Smet, a Belgian, who complains that his timber and wood have been seized by the United States, and his business interfered with. He states also that he purchased the wood in good faith, in open market, and took every due precaution in respect to the title to the property.

You will make investigation of this case, and be sure that the title to the property in question is in the United States. If it shall appear to you that there is not a good case on behalf of the government, you will release the timber and wood referred to to Mr. De Smet.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

LUKE LEA, Esq.,
United States Attorney, Jackson, Miss.

DEPARTMENT OF JUSTICE,
Washington, September 11, 1877.

SIR: I inclose a copy of a letter of the 8th instant, addressed to me by the Secretary of the Interior, transmitting reports from the special agent of the Interior Department in relation to the trespasses committed on the public lands in the State of Michigan by Samuel Woolbridge and Thomas K. Hurley. I inclose these reports. In compliance with the Secretary's request, you are hereby directed to investigate the case and, if the facts will warrant such a course, to prosecute the parties guilty of the trespass mentioned in such reports, both civilly and criminally.

Very respectfully,

S. F. PHILLIPS,
Acting Attorney-General.

M. C. BURCH, Esq.,
United States Attorney, Grand Rapids, Mich.

DEPARTMENT OF JUSTICE,
Washington, September 13, 1877.

SIR: Your letter of the 23d of August, to the Solicitor of the Treasury, in which you say that it appears that several thousand cords of wood have been cut from government lands unsurveyed in the county of Baker, State of Oregon, and that if proper proceedings are instituted the same may be seized and sold and the proceeds paid over to the United States, has been received.

You are instructed to cause said wood to be seized at once and sold according to rules determined by the Secretary of the Interior, a copy of which is herewith inclosed, and the proceeds thereof paid into the Treasury of the United States, and also that criminal proceedings be instituted as against the party who committed the trespass upon the public lands.

Very respectfully,

S. F. PHILLIPS,
Acting Attorney-General.

RUFUS MALLORY, Esq.,
United States Attorney, Portland, Oreg.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, November 23, 1877.

RUFUS MALLORY, Esq.,
United States Attorney, Portland, Oreg.:

When any arrests or seizures have been made for timber taken from the lands of the United States, such cases may be settled by payment of a fair market value for the wood, or by giving good security to pay for the same, if final judgment shall be rendered in favor of the government.

CHAS. DEVENS,
Attorney-General.

DEPARTMENT OF JUSTICE,
Washington, October 10, 1877.

SIR: I transmit herewith copies of letters dated September 20 and October 4, addressed to me by the Secretary of the Interior, with the inclosures accompanying the same, relative to depredations which have been, and are being, committed on the public lands in the Territory of Montana.

In accordance with the request of the Secretary, you will institute proceedings to recover for the damages and waste already committed by the parties named, to cause to be seized and sold, and the proceeds arising therefrom paid into the Treasury of the United States, all lumber or wood now in their control cut from the public lands, and also to punish them criminally for said trespass.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

ROBERT S. ANDERSON, Esq.,
United States Attorney, Helena, Mont.

HELENA, MONT., *November* 9, 1877.

SIR: * * * It seems that the timber on the public lands here is the only fuel which the people can get, and it is a matter of fact that the timber cut from the public lands is used by the people generally, as they claim, from necessity. I will take pleasure in obeying your instructions of October 10.

Very respectfully, your obedient servant,

R. S. ANDERSON,
United States Attorney for Montana Territory.

Hon. CHARLES DEVENS,
Attorney-General, Washington, D. C.

[Telegram.]

HELENA, MONT., *November* 20, 1877.

ATTORNEY-GENERAL,
Washington, D. C.:

Your telegram received. Shall I proceed against all parties guilty not named in your instructions, and accept bond for appraised value?

R. S. ANDERSON,
United States Attorney.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, November 21, 1877.

ROBERT S. ANDERSON,
United States District Attorney, Helena, Mont.:

In case of other parties than those named in instructions, it will be better to hold the property seized under process, and not accept bond

by consent, unless wood needed for immediate use, as, if adjudication is in favor of the United States, we can then dispose of such property, and shall not be compelled to sue bond.

CHARLES DEVENS,
Attorney-General.

[Telegram.]

HELENA, MONT., *November* 22, 1877.

Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

Can there be some basis of settlement fixed per cord and for lumber? Many want to pay. Instruct me.

R. S. ANDERSON,
United States Attorney.

[Telegram.]

HELENA, MONT., *November* 21, 1877.

Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

Shall I seize wool [wood?] found in possession of others for violating law, not reported? There are many other cases.

R. S. ANDERSON,
United States Attorney.

[Telegram.]

DEPARTMENT OF JUSTICE, *November* 24, 1877.

R. S. ANDERSON,
United States District Attorney, Helena, Mont.:

Seize wood cut upon the public lands now in the hands of parties holding it for sale. Settle with parties for wood seized, at a fair market value where now situate.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

HELENA, MONT., *November* 24, 1877.

Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

A thousand men out of summer employment depend upon cutting wood for living this winter. Our whole supply for next year must be cut this winter to dry out; will leave wood in my hands to reimburse government for its charge. Can they cut on these conditions? If not permitted, there will be much suffering. Our winters are savagely cold; timber lands are unsurveyed; valleys bare; legislation for Montana necessary.

WILLIAM F. WHEELER,
United States Marshal.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, November 26, 1877.

WILLIAM F. WHEELER, Esq.,
United States Marshal, Helena, Mont.:

Secretary does not understand this wood is needed this winter or for immediate consumption, and does not feel that he has authority of law to give the permission requested, in which I concur. He will immediately use every effort to have proper legislation to reach this important matter.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

HELENA, MONT., *November* 27, 1877.

Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

Court appointed three good men, who fix the value per cord at fifteen cents and costs. We regard it fair. Shall I accept and settle? It will more than for land.

R. S. ANDERSON,
United States Attorney.
D. S. WADE,
Chief Justice.
W. F. WHEELER.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, November 27, 1877.

R. S. ANDERSON,
United States District Attorney, Helena, Mont.:

Price named entirely disproportioned to the value of wood in Helena. The Secretary cannot entertain any such settlement.

CHAS. DEVENS,
Attorney-General.

[Telegram.]

HELENA, MONT., *November* 30, 1877.

To Hon. CHAS. DEVENS,
Attorney-General, Washington, D. C.:

Wood cut and corded in timber is worth about one dollar per cord. Price of two is caused by being hauled so far. Will you accept one dollar as a basis?

D. S. WADE, *Judge.*
R. S. ANDERSON,
United States Attorney.
W. F. WHEELER,
United States Marshal.

DEPARTMENT OF JUSTICE,
Washington, October 15, 1877.

SIR: I transmit a copy of a letter from the Secretary of the Interior, dated the 13th instant, and its inclosures, from which it appears that certain persons therein named have been engaged in the manufacture of rosin and turpentine upon lands in Florida claimed by them by virtue of fraudulent entries.

In accordance with the request of the Secretary, you will investigate the facts in this matter, and, if they shall warrant it, you will commence proceedings against the parties named to punish them for the trespasses already committed, and to recover the damages sustained by the United States by reason of such trespass.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

JOHN B. STICKNEY, Esq.,
United States Attorney, Saint Augustine, Fla.

DEPARTMENT OF JUSTICE,
Washington, October 29, 1877.

SIR: I inclose a copy of a letter of the 26th instant from the Secretary of the Interior, and the copy of the report of Special Agent Bell therein referred to, in relation to depredations committed upon the public lands in Florida.

It appears that parties therein named have cut and are shipping a large amount of timber down the Suwannee River.

In accordance with the Secretary's request, you will please take such steps as may be necessary to cause said timber to be seized, sold, and the proceeds arising therefrom covered into the Treasury of the United States.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

JOHN B. STICKNEY, Esq.,
United States Attorney, Jacksonville, Fla.

DEPARTMENT OF JUSTICE,
Washington, November 28, 1877.

SIR: I inclose herewith a copy of a letter of the 26th instant, addressed to me by the Secretary of the Navy, inclosing a copy of a letter of the 22d addressed to the Navy Department by the Secretary of the Interior, and a copy of a letter of the 15th addressed to the latter by Walter Tate, of Pensacola, Fla., which inclosures I also send herewith.

These papers have reference to depredations committed by the cutting of timber upon government reservations for naval purposes in Florida.

You will make thorough investigation of this matter, ascertain the guilty parties, who has possession of the timber removed, and who are the parties claiming to own that still upon the lands, and you will take

proper measures to obtain possession for the United States of the timber, and institute criminal proceedings against the parties who shall appear to be guilty.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

JOHN B. STICKNEY, Esq.,
United States Attorney, Jacksonville, Fla.

DEPARTMENT OF JUSTICE,
Washington, October 27, 1877.

SIR: I inclose a copy of a letter of the 25th instant, from the Secretary of the Interior, and its inclosures, from which it appears that, by a report of Special Agent Jones, there have been cut during the past winter, by John Woodlock and L. Wyatt, timber from the public lands aggregating 1,150,000 feet, which is now being floated down the Wisconsin River to the booms.

In accordance with the request of the Secretary, you will please cause said logs to be seized and sold, and the proceeds arising therefrom paid into the Treasury of the United States; and, if upon investigation you shall think the facts so warrant, you will please institute a criminal prosecution for said trespasses against the parties implicated.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

CHARLES M. WEBB, Esq.,
United States Attorney, Madison, Wis.

DEPARTMENT OF JUSTICE,
Washington, November 30, 1877.

SIR: I inclose a copy of a letter of the 28th instant, addressed to me by the Secretary of the Interior, and the inclosure therewith, to wit, a copy of a letter of A. Q. MacGregor, dated at Estes Park, November 12, 1877, and addressed to the marshal for your district.

In compliance with the request of the Secretary, you are hereby directed to cause investigation of the matter stated by Mr. MacGregor in reference to depredations committed upon Estes Park and other localities; and, if these allegations are found true, you will institute the necessary legal proceedings against the parties who have committed trespasses, to recover the amount of loss and damage sustained by the United States.

Very respectfully,

CHAS. DEVENS,
Attorney-General.

W. S. DECKER, Esq.,
United States Attorney, Denver, Colo.

NAVY DEPARTMENT,
Washington, November 20, 1877.

SIR: I have the honor to acknowledge the receipt of the copy of the resolution of the Senate of the 16th instant, requesting you—

to communicate to the Senate the instructions given to the agents and marshals of the United States in the States of Alabama, Florida, Mississippi, and other States and Territories, touching the seizure of logs, lumber, and naval stores suspected of having been taken from the public lands of the United States, &c., &c.

In reply, I have the honor to inclose copies of such instructions and letters as are on record in this department, from the 14th of September, 1869, bearing on the subject.

Very respectfully, your obedient servant,

R. W. THOMPSON,
Secretary of the Navy.

The PRESIDENT.

NAVY DEPARTMENT,
Washington, September 14, 1869.

SIR: You will be furnished with the necessary maps defining the reserved lands for naval purposes lying in the States of Louisiana, Mississippi, Alabama, and Florida, and will proceed with all convenient dispatch to them, visiting them and informing yourself fully as to the extent the timber has been trespassed upon, and whether it is probable that the persons who have committed these depredations can be successfully prosecuted.

You will inform yourself how far you can advantageously employ informers and at what points, so as to give you information of any attempt to trespass, to the end that you may personally give that locality your special temporary attention. As these informers would necessarily be obnoxious to persons wishing to trespass, their employment need not be made public, and as a certain number of them would be necessary and little labor would be required to obtain and send you information, their proposed pay by you should be small. You will be under the instructions of and report to the Bureau of Yards and Docks, and will hire no agents or informers that you are not instructed to do by that bureau; keeping it advised of what you think necessary to effect the object, which is to preserve the reserved timber-lands over which you have charge in the most effective manner and at the least cost to the government.

After an examination of the whole of the reserved lands in question, you will inform the bureau what point you would regard as the best for your headquarters.

Very respectfully,

GEO. M. ROBESON,
Secretary of the Navy.

Capt. JOHN C. FEBIGER,
Urbana, Ohio.

In relation to trespassing on public lands.

NAVY DEPARTMENT,
Washington, September 18, 1869.

The notice of the department having been called to numerous and extensive depredations committed on the public lands reserved for

timber for naval purposes, lying in the States of Louisiana, Mississippi, Alabama, and Florida, public notice is hereby given that naval officers and other persons have been ordered to examine all the lands referred to, and cause all trespassers to be apprehended and prosecuted, employing the civil power and, where necessary, the military or naval forces, to assist and bring to punishment such persons as may be found culpable in this respect.

GEO. M. ROBESON,
Secretary of the Navy.

NAVY DEPARTMENT,
Washington, October 20, 1875.

SIR: I have the honor to acknowledge the receipt of the letter referred by you to this department, from the United States Attorney at Santa Fé, New Mex., in relation to the destruction of the timber upon the public domain in New Mexico.

The department thanks the district attorney for his report, and requests that you will direct him to institute the proper proceedings against trespassers, if you think it can be effectually done.

Very respectfully,

GEO. M. ROBESON,
Secretary of the Navy.

Hon. EDWARDS PIERREPONT,
Attorney-General.

NAVY DEPARTMENT,
Washington, May 18, 1876.

SIR: Your letter of the 8th instant is received. You will please forward to the department a certified copy of the judgment in the cases of the United States *vs.* Albert A. Denton and Martin Brennan, and the clerk's certificate of what has been done by the defendant.

Very respectfully,

GEO. M. ROBESON,
Secretary of the Navy.

A. B. MAYNARD, Esq.,
United States Attorney, Detroit, Mich.

NAVY DEPARTMENT,
Washington, May 29, 1876.

SIR: Your letter of the 24th instant has been received. Under the authority conferred by section 4751 of the Revised Statutes, you are directed to pay over to the informer or informers in the case of Denton and Brennan one-half of the amount of the fines collected from them under judgment obtained in April last for depredations upon public timber, taking receipt, a duplicate of which you will forward to this department. The other half of said amount of fines collected you will deposit with a United States depository, to the credit of the naval

pension-fund, and transmit his certificate to the Secretary of the Treasury with a letter advising him of the nature of the deposit, and inform this department.

Very respectfully,

GEO. M. ROBESON,
Secretary of the Navy.

A. B. MAYNARD, Esq.,
United States District Attorney, Detroit, Mich.

NAVY DEPARTMENT,
Washington, June 20, 1876.

SIR: Your letter of the 8th instant, with inclosures, relating to the disposition of the fines imposed in the cases of Denton and Brennan, has been received.

Very respectfully,

GEO. M. ROBESON,
Secretary of the Navy.

A. B. MAYNARD, Esq.,
United States Attorney, Detroit, Mich.

NAVY DEPARTMENT,
Washington, June 25, 1877.

SIR: Your letter of the 20th instant has been received. Under the authority conferred by section 4751 of the Revised Statutes, you are directed to pay over to the informer in the cases of Richard Woge and Ebenezer J. Wright one-half of the amount of the fines collected from them for depredations upon public timber, taking receipt, a duplicate of which you will forward to this department; the other half of said amount of fines collected you will deposit with a United States depository, to the credit of the naval pension fund, and transmit his certificate to the Secretary of the Treasury with a letter advising him of the nature of the deposit, and inform this department.

Very respectfully,

R. W. THOMPSON,
Secretary of the Navy.

S. M. CUTCHEON, Esq.,
United States Attorney, Detroit, Mich.

NAVY DEPARTMENT,
Washington, August 7, 1877.

SIR: I have the honor to transmit herewith copies of communications, dated the 2d and 27th ultimo, received by the Bureau of Construction and Repair of this department, from Capt. George E. Belknap, commanding the Pensacola navy-yard, with copy of report made to Captain Belknap by Boatswain James Heron, dated June 29 last, in relation to depredations upon the naval reserve lands in township 8, range 5 east, State of Alabama. A plat of the naval reserve is also transmitted.

You are also informed that similar depredations are going on in the same section of the country.

Under the circumstances, I have to request that the United States district attorney for that district may be instructed to give his attention to this matter and take such measures as may be necessary to protect the public reservation and punish the offenders, and that he may be further instructed to communicate with Captain Belknap on the subject if additional information is desired.

Very respectfully, your obedient servant,

R. W. THOMPSON,
Secretary of the Navy.

Hon. CHAS. DEVENS,
Attorney-General.

NAVY DEPARTMENT,
BUREAU OF NAVIGATION AND OFFICE OF DETAIL,
Washington, September 21, 1877.

SIR: It having been reported to the Bureau of Construction and Repair that depredations of public timber have been and are now committed on the public reserved land known as the "Navy Commissioner Island," on Grand Lake, Louisiana, and that occupation of the same has been attempted by certain trespassers known to Mr. Mentz, attorney at law, Morgan City, La., you will direct Lieut. Frederic Singer to proceed to these islands, investigate the whole matter connected with these alleged depredations and attempted occupation of these public reservations, and report as early as practicable to the Navy Department.

Should there be a United States district attorney in the vicinity, Lieutenant Singer will confer freely with him upon the subject.

The "Navy Commissioner Islands" are some seventy miles west of New Orleans.

By direction of the Secretary.

Respectfully,

DANL. AMMEN,
Chief of Bureau.

Commander JOHN F. MCGLENSEY,
Commanding United States Steamer Canonicus, New Orleans, La.

45TH CONGRESS, 2d Session. } SENATE. { EX. DOC. No. 10.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

The draught of a bill embodying proposed legislation for the punishment of persons making or having in possession dies and molds for manufacturing counterfeit coin.

JANUARY 17, 1878.—Referred to the Committee on Finance and ordered to be printed

TREASURY DEPARTMENT,
January 16, 1878.

SIR: I have the honor to transmit herewith draught of a bill, prepared by the Solicitor of the Treasury, embodying proposed legislation for the punishment of persons making or having in possession dies, molds, &c., for manufacturing counterfeit coin; also copies of letters from the Solicitor, dated January 15, 1877, and January 14, 1878, pertaining to the matter.

I fully concur in the opinion of the Solicitor, expressed in his letters, and request consideration of the proposed act with a view of having it put upon its passage as soon as practicable.

Very respectfully,

JOHN SHERMAN,
Secretary.

Hon. W. A. WHEELER,
President United States Senate.

DEPARTMENT OF JUSTICE,
OFFICE OF SOLICITOR OF THE TREASURY,
Washington, D. C., January 14, 1878.

SIR: I have the honor to transmit herewith a draught of a bill for the punishment of persons making or having in possession dies, molds, &c., for manufacturing counterfeit coin, and to refer to a letter of this office of the 15th of January last, addressed to your predecessor, urging the necessity of the passage of such a bill by Congress.

The draught inclosed with that letter received, as I understand, the approbation of your predecessor, and action was taken by him according to the suggestion made.

I would respectfully renew the suggestions made by this office, as I have been given to understand that there is urgent necessity for an act of Congress for the prevention and punishment of the offenses contemplated.

Very respectfully,

K. RAYNER,
Solicitor of the Treasury.

Hon. JOHN SHERMAN,
Secretary of the Treasury.

DEPARTMENT OF JUSTICE,
OFFICE OF THE SOLICITOR OF THE TREASURY,
Washington, D. C., January 15, 1877.

SIR: My attention has been directed to the fact that there is no statute of the United States under which the making, dealing in, or having possession of dies, molds, &c., for manufacturing counterfeits of the coin of the United States and of any coin in current use as money; and, in connection with this, I am advised that in certain parts of the country persons are known to be engaged in making dies, &c., designed to be used by them or others in making spurious coin, yet they cannot be reached under any law applicable, because they are not engaged directly in manufacturing the coins or in issuing the same.

The successful results attending the means employed to suppress the counterfeiting of the paper money of the United States and the recent resumption of the circulation of silver coins have served to direct the energies of counterfeiters to a new field of operations, seemingly attended with less risk of punishment, and offering, it may be, equal profits to the offenders.

There is a statute which guards the issuing of counterfeits of paper money by punishing severely any person having in possession a plate engraved in counterfeit or similitude of any note issued by the United States, and there seems to be just as much reason that the penalties of the law should operate in the same effectual way to prevent the manufacture and issuing of spurious coinage.

Proper attention, it seems to me, should be given at once to this subject, that the desired legislation may be had during the present session of Congress. Accordingly I have caused a draught of a bill to be prepared in this office, which I believe will cover any offense in the direction mentioned.

Will you please, in case it meets your views, cause it to be submitted for presentation to Congress.

Very respectfully,

GEORGE F. TALBOT,
Solicitor of the Treasury.

Hon. L. M. MORRILL,
Secretary of the Treasury.

AN ACT for the punishment of persons making or having in possession dies, molds, &c., for manufacturing counterfeit coin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who shall make, or cause or procure to be made, any imprint, stamp, impression, implement, mold, or any device or contrivance whatever which may be used for the purpose of counterfeiting any of the coins of the United States which have been or may hereafter be coined or stamped at the mints of the United States, or of any of the coins of foreign countries, or who shall make, or cause or procure to be made, any imprint, cast, stamp, impression, implement, mold, or any device or contrivance whatever which may be used for the purpose of making any coin or device in similitude of any of the said coins of the United States or of foreign countries, or shall aid or assist in making such imprint, stamp, die, impression, implement, mold, device, or contrivance which may be used for the purpose of counterfeiting such coins of the United States or of any foreign country, or of coins in similitude of such coins of the United States or of any foreign country, such person shall be punished by a fine of not more than five thousand dollars and by imprisonment at hard labor not more than ten years.

SEC. 2. *Be it further enacted*, That every person who shall have in his possession, custody, or control any imprint, stamp, die, impression, implement, mold, or any device or contrivance whatever which may be used for the purposes mentioned in the preceding section, with intent to use the same, or to suffer the same to be used, or to dispose of the same in any way for the purpose of being used to counterfeit any of the coins of the United States or of any foreign country, or to manufacture any coin or metallic device in similitude of any coins of the United States or of any foreign country, such person shall be punished by a fine of not more than five thousand dollars and by imprisonment at hard labor for not more than five years.

O

45TH CONGRESS, 2d Session. } SENATE. { Ex. Doc. No. 11.

LETTER

FROM THE

SECRETARY OF THE INTERIOR,

TRANSMITTING,

In obedience to law, an inventory of property belonging to the United States in the Department of the Interior.

JANUARY 17, 1878.—Ordered to lie on the table and be printed.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., January 12, 1878.

SIR: In accordance with the requirements of the act of Congress entitled "An act to provide for inventories and accounts of the property of the United States in the public buildings and grounds belonging to the United States in the District of Columbia," approved July 15, 1870, I have the honor to transmit herewith "a full and complete inventory of all property belonging to the United States in the buildings, rooms, offices, and grounds" occupied by this department and under its charge.

The inventory consists of, A, a table showing the number of the various articles of property in each of the bureaus of this department, and the same aggregated; B, a list of the articles of property purchased for the use of the department during the year ending the 30th ultimo; and, C, a list of such property as has been sold during the same period.

Very respectfully,

C. SCHURZ,
Secretary.

HON. WILLIAM A. WHEELER,
Vice President of the United States,
President United States Senate.

A.—*Inventory of property belonging to the United States in the buildings, rooms, offices, and grounds occupied by the Department of the Interior, taken on the —— day of December, A. D.* 1877, *in accordance with the act of Congress approved July* 15, 1870.

Articles of property.	OFFICES.						Total.
	Secretary's.	Patent.	Pension.	Land.	Indian.	Education.	
Awnings	26	79	104	26	10	15	260
Book-cases	15	43	12	26	5	3	104
Book-racks	15	26	7	15	8	3	74
Book-rests	1	38	------	20	------	2	61
Carpets	18	46	17	40	10	8	139
Carriages	1	1	1	------	------	------	3
Coal-hods	13	14	------	42	8	4	81
Curtains	------	4	8	2	------	------	14
Chairs	136	487	385	280	80	55	1,423
Clocks	13	54	13	5	3	1	89
Desks	50	258	138	240	57	21	764
Desk-covers	6	53	------	22	------	2	83
Drop-lights	3	18	5	7	3	2	38
Engravings	2	11	------	4	3	2	22
File-cases	22	112	35	192	15	7	383
Fire-screens	7	30	27	32	3	2	101
Foot-rests	4	177	------	90	7	------	278
Flags, United States	1	------	------	------	------	------	1
Hat-racks	1	28	1	------	------	4	34
Hose-carriages	1	------	------	------	------	------	1
Hand-stamps	7	36	23	14	2	1	83
Horses	3	------	------	------	------	------	3
Harness, sets	3	------	1	------	------	------	4
Iron safes	3	3	1	2	1	------	10
Letter-presses	9	31	5	10	2	2	59
Letter-baskets	28	73	214	30	16	2	363
Lamps	7	2	------	2	2	------	13
Lounges	2	3	------	3	1	1	11
Lawn-mowers	3	------	------	------	------	------	3
Map-racks	2	2	------	2	2	2	10
Mail-bags	3	4	1	2	1	1	12
Mats	8	31	------	------	------	4	43
Mattings	13	25	3	6	4	4	55
Mirrors	16	54	28	35	10	4	147
Paintings	2	3	1	8	8	------	22
Paper-racks	1	------	------	------	------	------	1
Pigeon-hole cases	15	189	137	66	11	1	419
Push-carts	1	2	1	------	------	1	5
Photographs	16	16	10	3	3	7	55
Printing-presses	------	2	1	------	------	------	3
Rugs	12	20	1	14	1	4	52
Sealing-presses	1	1	------	2	------	------	4
Sofas	5	1	4	4	1	1	16
Soap-dishes	13	38	------	30	10	7	98
Scales, pairs	11	7	4	20	5	1	48
Shades, window	25	78	124	60	17	42	346
Shovels and tongs	4	21	------	25	2	5	57
Spittoons	35	242	178	160	27	7	649
Step-ladders	12	74	11	35	8	1	141
Stoves	1	9	------	2	------	------	12
Stools	2	311	12	3	3	3	334
Tables	33	76	241	45	13	8	416
Towel-racks	10	15	4	3	3	9	44
Truck-wagons	1	------	------	------	------	------	1
Tumblers	30	250	116	60	8	10	474

A.—*Inventory of property belonging to the United States in the buildings, &c.*—Continued.

Articles of property.	OFFICES.						Total.
	Secretary's.	Patent.	Pension.	Land.	Indian.	Education.	
Type-printing machine	.....	.....	.....	.....	2	.....	2
Thermometers	6	21	10	7	2	2	48
Umbrella-stands	8	31	.....	16	4	1	60
Ventilators	3	12	.....	2	1	.....	18
Wash-stands	.....	20	9	25	.....	1	55
Wash-basins	1	16	11	25	1	1	55
Wash-pitchers	2	10	11	24	1	1	49
Water-pitchers	12	6	2	4	7	6	37
Water-coolers	4	47	10	11	4	2	78
Water-cooler stands	2	29	7	4	2	.....	44
Water-buckets	48	23	21	32	5	6	135
Wardrobes	8	15	7	4	1	2	37

B.—*List of property purchased for the use of the Department of the Interior during the year ending November* 30, 1877.

19 awnings.
19 book-cases.
10 book-racks.
1 buffalo-robe.
10 carpets.
1 carriage.
6 coal-hods.
93 chairs.
1 clock.
45 desks.
11 drop-lights.
614 file-boxes.
13 file-cases.
30 fire-screens.
84 fire-buckets.
2 harness sets.
38 hand-stamps.
2 horses.
4 letter-presses.
5 lamps.
4 mail-bags.
10 mattings.
20 mirrors.
4 pigeon-hole cases.
10 rugs.
21 soap-dishes.
48 spittoons.
9 step-ladders.
2 stoves.
33 tables.
6 towel-racks.
13 thermometers.
1 truck-wagon.
2 truck-wagons, hand.
7 wash-stands.
7 wash-basins.
7 wash-pitchers.
2 water-pitchers.
71 water-buckets.
5 water-coolers.
3 water-cooler stands.
150 window-shades.

C.—*List of property sold by the Department of the Interior during the year ending November* 30, 1877.

6 book-cases.
8 benches.
3 blinds.
30 carpets.
7 coolers.
1 cooler-stand.
7 curtains.
9 chairs, lots.
6 desks.
44 desk-tops.
2 doors.
24 cases.
1 flag, United States.
60 globes, glass.
2 hat-racks.
1 horse.
95 mattings, pieces.
27 pigeon-hole cases.
3 sofas.
1 screen.
18 stoves.
33 tables.
1 lot window-shades.
34 waste-baskets.
4 wash-stands.
1 lot bricks.
1 lot scrap-iron.
42,654 pounds waste paper.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

In answer to a Senate resolution of December 6, 1877, information in relation to the operation of the Union Pacific Railroad and its branches.

JANUARY 18, 1878.—Read, referred to the Committee on the Judiciary, and ordered to be printed.

To the Senate of the United States:

In answer to the resolution of the Senate of December 6, 1877, I inclose a report made to me by the Attorney-General, the results of which seem to be correct, and which affords the information requested.

R. B. HAYES.

EXECUTIVE MANSION,
January 18, 1878.

DEPARTMENT OF JUSTICE,
Washington, January 14, 1878.

SIR: I have examined the resolution of the Senate of December 6, 1877, which has been referred to me by you for a report.

This resolution is as follows:

Whereas Congress did provide in the act of July 1, 1862, being an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the government the use of the same for postal, military, and other purposes," and also by the subsequent acts of July 2, 1864, March 3, 1869, and June 20, 1874, amendatory thereof, that said railroad and branches should be operated and used for all purposes of communication, travel, and transportation, so far as the public and government are concerned, as one connected, continuous line, without any discrimination of any kind in favor of the business of any or either of said companies, or adverse to the road or business of any or either of the others; and upon such basis and contract with the said railroad company and its branches did grant to the Union Pacific Railroad Company and branch companies large subsidies in bonds and lands of the United States, all for the purpose of aiding in the construction of said roads, to be operated as aforesaid;

And whereas it is alleged that the said Union Pacific Railroad Company and its branch companies, being as is alleged the Kansas Pacific Company, the Denver Pacic Company, the Central Pacific of California, the Burlington and Missouri River Company, and the Sioux City Branch, have heretofore neglected, and still do neglect and

refuse, to operate their roads in accordance with said acts of Congress, but have heretofore operated and still do operate them in open violation of the same;

And whereas it is alleged that by reason of said defaults, and on account of the same, the Government of the United States and the public have been and still are being damaged and deprived of their just and lawful rights and privileges as stipulated, defined, and agreed upon in said acts aforesaid: Therefore,

Be it resolved, That the President of the United States be, and he is hereby, requested to inform the Senate what legal impediments, if any, exist which prevent him from executing said laws in accordance with the obligations accepted and agreements made by said Union Pacific Railroad Company and branches with the United States, as stipulated and agreed upon in the several acts aforesaid.

As the counsel for the Union Pacific Railroad Company and the Kansas Pacific Railroad Company, as well as the representatives of other railroads interested in the subject-matter of this resolution, desired to present their views thereon, I, in connection with the honorable Secretary of the Interior, have met and heard them.

The discussion of these gentlemen covered a wide range, embracing a consideration of questions as to the requirements of the acts of Congress in relation to the operation and use of the Union Pacific Railroad and its branches for all purposes of communication, travel, and transportation, and of the rights of the public and of other railroads therein; as to the rights and duties of the Union Pacific and branches, as between themselves, in relation to the operation and use of their respective roads; and as to whether the said several companies had complied and were now complying with the requirements of said acts of Congress in regard to the operation and use of said roads.

Upon the one hand, it was asserted by the Union Pacific Road that it had complied and intended to comply with all the requirements of law in relation to the operation and use of its road, whether it concerned the public or the other railroads connected with it. Upon the other hand, it was maintained that the Union Pacific Railroad had persistently and continually ignored the important requisitions of law in regard to the operation and use of its road, both as it concerned the Kansas Pacific Company and other companies connected with it and the public.

A full investigation of all these inquiries, and an expression of opinion thereon, would necessarily involve an examination judicial in its nature, in which evidence should be carefully and elaborately taken, and questions of law as to the true construction of the acts of Congress discussed in their proper relation to such evidence.

The subject substantially of all these inquiries has been presented in an amicable suit brought by the Kansas Pacific Railroad Company against the Union Pacific in the circuit court of the United States for the district of Nebraska, and has there been fully examined and discussed before the judges of that circuit, and now awaits a decision from them.

On the 29th of September, 1874, these two companies entered into a written agreement fixing a division of rates on certain business, and providing, among other things, that said agreement should not be in prejudice of the legal rights of either party, and that "the legal rights and status of the respective companies should be the subject of an amicable legal adjudication."

In pursuance of and subsequent to this agreement, on the 21st of January, 1875, a bill in equity was filed by the Kansas Pacific Company and the Denver Pacific Railway and Telegraph Company in the United States circuit court for the district of Nebraska, praying an injunction against the Union Pacific Company, restraining it from continuing its alleged discriminations. This suit was intended to present the substance of the whole

controversy, which is found in the fifteenth section of the act of July 2, 1874, amendatory of the act of July 1, 1862, which is as follows:

That the several companies authorized to construct the aforesaid roads are hereby required to operate and use said roads and telegraph, for all purposes of communication, travel, and transportation, so far as the public and the government are concerned, as one continuous line, and in such operation and use to afford and secure to each equal advantages and facilities, as to rates, time, and transportation, without any discrimination of any kind in favor of the road or business of either of said companies, or adverse to the road or the business of any or either of the others.

It does not seem that it was intended by the resolution that so wide a field of examination should be traversed as would necessarily be required in order properly to discuss the whole controversy, or that it was wished that any expression of opinion should be given by the Executive upon controverted questions of law and fact. The resolution asks only that the President inform the Senate "what legal impediments, if any, exist which prevent him from executing said laws" [referred to in the preamble of the resolution] "in accordance with the obligations accepted and agreements made by said Union Pacific Railroad Company and branches with the United States, as stipulated and agreed upon in the several acts aforesaid." It thus assumes that the allegations of the preamble are well sustained, and requests this information upon that assumption.

Upon an examination of the various acts regarding this subject, I do not find any specific authority vested in the President which enables him, in his executive capacity, to enforce such acts, or to oblige the Union Pacific Company to desist from an unlawful operation or use of its road, if it is engaged in such unlawful operation or use, or to compel an appropriate operation and use of such road. There is nothing that he is to do of an administrative character, nor is he empowered to ascertain whether or not the law has been violated by the Union Pacific Railroad, and to take executive action thereon. It is contemplated by the acts that the question whether the Union Pacific Company violates the obligations and duties which are imposed upon it, and the agreements it has made, is one for judicial determination, and that the law in relation thereto will be executed through the courts upon proper proceedings had therein. The President is charged with the execution of the laws in reference to the Union Pacific Company only in the same sense that he is charged with that duty as to all the laws of the United States. Whether duties of a different character can or should properly be imposed upon him in regard to these railroads, whether additional legislation should be had so that by means of proceedings other than judicial different remedies may be provided to restrain any violation, or to enforce any obligations of law, are questions for the consideration of Congress.

The judicial remedies in terms provided by these acts are to be found in the act of April 10, 1869, section 4, by which it is enacted "that the Attorney-General be, and he is hereby, authorized and directed to investigate whether or not the charter and all the franchises of the Union Pacific Railroad Company and of the Central Pacific Railroad Company have not been forfeited, and to institute all necessary and proper legal proceedings," &c. In reference to this statute, it may be observed that it is contended that it is not prospective in its character and has relation only to proceedings which refer to matters occurring before the date of the act. The act of March 3, 1873, also provides in the last clause of the fourth section that "the proper circuit court of the United States shall have jurisdiction to hear and determine all cases to compel said Union Pacific Railroad Company to operate its road as required by law."

No explicit authority is given to the Attorney-General under this act to file such a petition on behalf of the public, and it is co ıtended that without such authority he is not entitled to file such a petition as the representative of the public interest.

Without considering the weight of such objections, it may be said that, should it be deemed proper that legal proceedings should now be instituted on behalf of the public in the name of the Attorney-General, in order to determine whether or not the Union Pacific Railroad Company, or either of the companies connected with it, is operating its road in violation of law, it would seem desirable that some legislation should be had by which provision so explicit should be made that the discussion of such questions as those referred to would be unnecessary. In this connection, it is, perhaps, proper to say that before any such suit could be brought to trial in the ordinary course of judicial investigation, it may reasonably be expected that the questions in controversy in reference to connections and discriminating rates between the Union Pacific and the companies connected with it and its branches will be decided in the case referred to between the Kansas Pacific and the Union Pacific Companies. It is to be anticipated, however, that one party or the other will be dissatisfied with the judgment of the United States circuit court, notwithstanding the admitted ability of the judges who preside in it, and that it will be necessary to a final settlement of the disputed points that they shall be discussed in the Supreme Court of the United States.

Besides the legislation referred to, the act of June 20, 1874, provides for criminal proceedings upon a refusal by any officer or agent of the companies authorized to construct the Union Pacific, or its branches, to operate or use the road under his control, "so far as the public and the government are concerned, as one continuous line, or shall refuse in such operation and use to afford and secure to each of said roads equal advantages and facilities as to rates, time, or transportation, without any discrimination of any kind in favor of or adverse to the road or business of any or either of said companies."

Until the rights of the respective railroad companies are legally ascertained and determined it would not be advisable to attempt to have them defined through the medium of criminal proceedings, such as are contemplated by this statute, and it is not understood to be the wish of either company that such attempt should be made.

Very respectfully, your obedient servant,

CHARLES DEVENS,
Attorney-General.

To the PRESIDENT.

45TH CONGRESS, 2d Session. } SENATE. { Ex. Doc. No. 14.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

In answer to a Senate resolution of November 13, 1877, information in relation to the cause and probable cost of the late Nez Percés war.

JANUARY 18, 1878.—**Read**, referred to the Committee on Military Affairs, and ordered to be printed.

To the Senate of the United States:

In response to the resolution of the Senate of the 13th November last, ling for information concerning the cause, numbers engaged, number lives lost, and probable cost of the late so-called Nez Percés war, I e the honor to submit the accompanying communication from the neral of the Army, and an extract from the annual report of that cer. Upon the subject of the cost of the Nez Percés war, I submit orts from the Quartermaster-General and the Commissary-General of tence.

R. B. HAYES.

EXECUTIVE MANSION, *January* 17, 1878.

EXECUTIVE MANSION, WASHINGTON,
November 14, 1877.

SIR: I have the honor to inclose herewith, by direction of the President, a resolution of the Senate of the United States of the 13th instant.

Very respectfully, your obedient servant,

O. L. PRUDEN,
Assistant Secretary.

Hon. The SECRETARY OF WAR.

[First indorsement.]

HEADQUARTERS OF THE ARMY,
Washington, November 15, 1877.

Respectfully returned to the Secretary of War, inviting attention to my reply, herewith inclosed.

W. T. SHERMAN,
General.

(See letter from the General of the Army to the Hon. Secretary of War, November 15, 1877. Copy inclosed.)

[Second indorsement.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, November 15, 1877.

Respectfully referred to the Quartermaster-General and the Commissary-General of Subsistence.

By order of the Secretary of War.

E. D. TOWNSEND,
Adjutant-General.

[Third indorsement.]

WAR DEPARTMENT, QUARTERMASTER-GENERAL'S OFFICE,
Washington, November 21, 1877.

Respectfully returned to the Adjutant-General, United States Army, through the office of the Commissary-General of Subsistence, United States Army.

According to report of chief quartermaster, Military Division of the Pacific, of 19th instant, and other information on file in this office, the estimated cost to the Quartermaster's Department in the Division of the Pacific, of the Nez Percés war, including the transportation of the Second Infantry from the Department of the South to engage therein, is as follows:

Regular supplies	$30,000 00
Incidental expenses	27,000 00
Army transportation	581,738 00
Cavalry horses	27,185 39
Barracks and quarters	6,762 16
Total	672,685 55

If further information reaches this office from the Division of the Missouri in time, it will be forwarded direct to War Department.

M. C. MEIGS,
Quartermaster-General, Brevet Major-General, U. S. A.

[Fourth indorsement.]

WAR DEPARTMENT,
OFFICE COMMISSARY-GENERAL SUBSISTENCE,
December 28, 1877.

Respectfully returned to the Adjutant-General, with a statement of the cost to the Subsistence Department of the late so-called Nez Percés war.

R. MACFEELY,
Commissary-General Subsistence.

[Fifth indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, December 31, 1877.

Respectfully returned to the Secretary of War, with reports from Quartermaster-General and Commissary-General of Subsistence.

E. D. TOWNSEND,
Adjutant-General.

HEADQUARTERS ARMY OF THE UNITED STATES,
Washington, D. C., November 15, 1877.

SIR: I have the honor to acknowledge receipt of the Senate resolution of November 13, calling for information concerning the cause, numbers engaged, number of lives lost, and probable cost of the late so-called Nez Percés war, and in answer to state that my annual report covers so much of this inquiry that I venture to send it you for this special use.

The final reports of Generals Howard and Terry are not yet received, but are hourly expected, and will, I believe, completely answer this resolution of inquiry, excepting in the matter of cost.

In order to ascertain what special expenditures are chargeable to the Nez Percés war, and what belong to the usual annual disbursements, you will have to inquire of the Quartermaster and Commissary Generals.

I am, with great respect, your obedient servant,
W. T. SHERMAN,
General.

Hon. GEO. W. MCCRARY,
Secretary of War.

Extract from the annual report of the General of the Army for 1877.

The recent war with the Nez Percés was so unexpected, and has been attended with such varied and interesting incidents, covering a vast surface of country utterly regardless of boundary-lines, that I find it necessary to embrace it more at length and in detail than is ordinarily called for where an Indian war is usually confined to a smaller area, generally to a single department. The best connected account of the Nez Percés Indians which I have been able to find is in the report of Col. H. Clay Wood, assistant adjutant-general, dated Portland, Oreg., January 8, 1876, with a supplementary report of August 1, 1876, describing two interviews with Joseph and others of the tribes at the agency and at Fort Lapwai. "The census of the tribe in 1861 was officially reported as one thousand eight hundred and eighty." "In November, 1875, the population is stated in the annual report of the Commissioner of Indian Affairs at two thousand eight hundred, of whom one thousand three hundred and twenty are males." The reservation at Lapwai is seven hundred and forty-six thousand six hundred and fifty-one acres, and on this are located the principal part of the Nez Percés Indians; but ever since the treaty of 1863, Joseph and his party have claimed the boundaries of the reservation as established by the Stevens treaty of 1855, more especially that part of it west of the Snake River, known as the Wallowa Valley. Though this valley never was the home of Joseph and his confederates, who usually lived on Salmon and Snake Rivers, still for some reason they cling to this particular tract, "Wallowa," and it was conceded to them by the President (Grant) in his Executive order of June 16, 1873; but on the 10th of June, 1875, this order was revoked, and all that part of Oregon west of Snake River, embracing the Wallowa, was restored to the public domain, has been partially surveyed, forms a part of Union County, Oregon, and settlers have acquired legal titles under the laws of the United States. (See map of Oregon accompanying the report of Commissioner General Land Office for 1876.)

On the 23d of June, 1876, one of Joseph's band was killed by two white men (Finley and another), which produced commotion, and was one of the reasons for Colonel Wood to seek an interview with Joseph, chief of the non-treaty Nez Percés. At this interview Joseph stated his own case in these words:

That it was true one of his brothers had been killed by whites in Wallowa Valley; that the Indian who was killed was much respected by the tribe, and was always considered a quiet, peaceable, well-disposed man; that the whites who killed him were bad, quarrelsome men, and the aggressive party; that the whites in the valley were instigated by those in authority, and others in Grand Ronde Valley, to assault and injure the Indians while fishing and hunting in that section of country; that he wished the white man who killed the Indian brought to the agency to be there confronted with his accusers.

Joseph said that among the Indians the chiefs controlled the members of their band, and had power to prevent bad Indians doing wicked things; and he reasoned that

those in authority over the whites had, or should have, the same control over white men, and hence the white authorities in the vicinity of Wallowa Valley and elsewhere were directly responsible for the killing of his brother; that his brother's life was of great value; that it was worth more than the Wallowa Valley; that it was worth more than this country; that it was worth more than all the world; that the value of his life could not be estimated; nevertheless, that now, since the murder had been done, since his brother's life had been taken in Wallowa Valley, his body buried there, and the earth had drunk up his blood, that the valley was more sacred to him than ever before, and he would and did claim it for the life taken; that he should hold it for himself and his people from this time forward, forever; and that all the whites must be removed from the valley.

Major Wood, in reply, explained that the white men would be indicted and "tried by a court having jurisdiction in the vicinity of the locality where the crime was committed (probably the town of Union), and that the witnesses (Indians or others) would be summoned to appear and give their evidence," and that their claim to the Wallowa Valley would probably be submitted to a commission of five distinguished gentlemen, to be appointed from Washington, &c.

For a more perfect understanding of the cause of the Nez Percés war I again refer to the two reports of Colonel Wood, which are in print, and I have only extracted so much as seemed necessary to an understanding of the first events hereafter recorded, and because the same general conditions exist with other Indian tribes in Idaho, Oregon, and Washington Territories, which may lead to similar results.

The Nez Percés tribe has a good reservation, with clearly-defined boundaries, sufficient to give each and every one a home. The bulk of the tribe has long resided thereon, and most of it has remained there during the recent hostilities, which were confined to Joseph and the non-treaty Nez Percés, with other malcontents—in all about five hundred males.

The settlements in that part of Oregon and Idaho are much exposed and scattered, and the danger to life was so great from an outbreak of these Indians that General Howard, commanding the department, made extraordinary efforts to adjust the difficulty as well as the case would admit of, so as to avoid conflict.

The agent for this tribe, J. B. Monteith, esq., resided at the agency on the reservation east of Snake River, in the Territory of Idaho, and the Indian Bureau always contended that Joseph and his band rightfully belonged on that reservation and were bound by the treaty of 1863, which did not include the Wallowa Valley, which lies west of Snake River in the State of Oregon. An immense amount of correspondence and negotiation followed, when the whole subject was submitted, by the Secretary of the Interior, to a commission composed of D. H. Jerome, esq., General O. O. Howard, William Stickney, esq., A. C. Barstow, esq., and Major H. C. Wood, which resulted in the final instructions of the acting Secretary of the Interior, Charles T. Gorham, esq., addressed to the Secretary of War, embodying the letters of J. Q. Smith, Commissioner of Indian Affairs, dated Washington, March 6, 1877, and of J. B. Monteith, United States Indian agent, dated Lapwai, Idaho Territory, February 9, 1877, which letters were, in due course of official usage, sent to me and by me indorsed to General McDowell, commanding Military Division of the Pacific, to order the necessary force to be supplied the agent of the Indian Bureau, to compel the removal of these non-treaty Nez Percés to the reservation of their tribe.

All these papers are embodied with General McDowell's report, along with his o[illegible] instructions to General Howard, commanding the Department of the Columbia, in [illegible] words:

"The division commander has examined the various papers transmitted fro[illegible] headquarters of the Army hereinbefore referred to, and it seems to him that the I[illegible] Bureau anticipate possible, not to say probable, resistance to the demand on Jos[illegible] remove to the reservation. In fact, the case seems not unlike that of the recent dif[illegible] with the Sioux, which resulted in the war of last year against these Indians.

"It is therefore of paramount importance that none of the responsibility of any [illegible] which may be made shall be initiated by the military authorities. You are to o[illegible] Wallowa Valley *in the interest of peace*. You are to comply with the request [illegible] Department of the Interior, as set forth in the papers sent you, to the extent [illegible] *merely protecting and aiding them in the execution of their instructions.*"

On the 19th of May General Howard gain had a conference with Joseph and [illegible]thers, and reported the result of his talk with the chiefs on the 21st, "that they y[illegible]lded a constrained compliance with the orders of the government, and had been [illegible]llowed thirty days in which to gather in their people, stock," &c.

On the 14th of June the Indians belonging to Joseph, from Wallowa, Whi[illegible]e Bird, from Salmon River, and Looking-Glass, from Clearwater, had assembled near [illegible]Cotton-wood Creek, on the border of the reservation, seemingly in compliance with t[illegible]eir engagement, when news reached General Howard that four white men had be[illegible]n murdered on John Day's Creek, to the south of this reservation, by some of th[illegible] young Nez Percés braves, and that White Bird had mounted his horse and procla[illegible]med he

would not go on the reservation. General Howard was then at Fort Lapwai, which was garrisoned by Captain Perry's company (F) and Captain Trimble's company (H), First Cavalry, and a company of the Twenty-first Infantry.

Colonel Watkins, Indian inspector, and Agent Monteith, were at the agency. General Howard put himself in communication with these agents of the Indian Bureau, who sent out messengers and got authentic accounts of the murders already committed, embracing the four at John Day's Creek, and many others. Great alarm spread in the country round about, and General Howard dispatched the two cavalry companies under Captain Perry, numbering ninety-nine men, to the scene of disorder. Lieutenant Theller, Twenty-first Infantry, was attached to Captain Perry's company in place of his own lieutenant (Bomus), who was quartermaster of the post.

Captain Perry proceeded rapidly by night to the Indian camp on Cottonwood and found it vacant; then to Grangerville, and thence to the head of White Bird Cañon, making seventy miles, with the loss of two nights' sleep. There he found the Indian camp, and assisted by eleven citizen volunteers proceeded at once to the attack. The Indians seemed to be well prepared, for they repulsed the attack and compelled the command to fall back, fighting over most difficult ground, to Grangerville, losing Lieutenant Theller and thirty-three enlisted men killed. This fight occurred June 17, but, apprehending trouble, General Howard had previously, on the 15th, ordered forward from Vancouver, Walla Walla, and Wallowa, Whipple's and Winters's companies of cavalry, five companies of the Twenty-first Infantry, and Miller's company of the Fourth Artillery, making an effective force of two hundred and twenty-seven men. As soon as he learned that Perry had been defeated, he determined to take the field in person with this force, so as to hold the Indians in check, while emboldened by their success at White Bird Cañon, until he could bring forward every available man of his department, and also could be re-enforced from the direction of California. His first attention had to be given to the protection of families alarmed and terrified by the murders already committed, and still more by the hundreds of wild reports which always attend and aggravate Indian wars.

Even at this date I am unable to state the exact number of murders committed by the Nez Percés prior to Captain Perry's attack on their camp, but General McDowell reports, under date of October 17:

"I am since informed that the immediate cause of this outbreak was different from that reported, and that instead of being a retaliation for the murder of one of their number, it was a deliberate act on the part of some Indian outlaws, who have nothing to gain and all to lose by going on the reservation, and who fired the Indian heart by deliberate murders, and thus forced the chiefs to go with them. The latter, feeling that they were irretrievably compromised in the eyes of the whites by the dreadful acts of their people, threw themselves into the conflict, the commencement of which they had not sanctioned."

Having thus endeavored to describe the *cause* and *beginning* of the Nez Percés war, I leave General Howard to describe the minute details of its conduct in his report inclosed herewith, marked 10 A, which gives a connected narration from June 15 to August 27, 1877.

Re-enforcements were promptly dispatched by the division commander, General McDowell, but these had to be drawn by driblets from the small and remote posts along the Pacific coast as far south as Yuma; and on General Howard's application for further re-enforcement at Army headquarters, the Second Infantry, Colonel Wheaton was sent from South Carolina.

By the 8th of July General Howard had collected a force sufficient to justify him in resuming the offensive, viz, about four hundred men; and on the 11th he discovered the enemy in a deep ravine on Clearwater, near the mouth of Cottonwood Creek, where he at once attacked them. The ground was difficult, so that the fight was at first desultory; but on the next day the Indians were fairly defeated and driven in confusion, losing their camp and much provision. General Howard reports twenty-three warriors killed, twice as many wounded, twenty-three warriors taken prisoners, and seventeen women and children made captive. His own loss was thirteen men killed, two officers and twenty-two men wounded. This battle was chiefly important because it prevented other Indians, similarly situated, from joining the hostile Nez Percés, and gave increased confidence to the settlers, many of whom had abandoned their farms. On the 15th a messenger reached General Howard from Joseph, to ascertain the terms on which he might surrender; but, believing it to be a ruse to gain time, he did not permit any delay, and on the 17th Joseph began his famous retreat eastward toward the buffalo country by the Lolo trail.

General Howard was authorized from the start to proceed without regard to boundary-lines of military departments; but, having defeated Joseph, he with perfect propriety delayed pursuit for some days, to give increased security to the people in his rear as against apprehended and possible danger, also to enable his own re-enforcements to come up within reach. He then reorganized his command, sending one force up north into the Spokane country; another was held in reserve near the Indian reservation,

and he himself, with a select force (described in his report), started in pursuit on the Lolo trail. This is universally admitted by all who have traveled it, from Lewis and Clarke to Captain Winters, as one of the worst trails for man and beast on this continent.

These very Nez Percés had for years been in the habit of going from Oregon to the Yellowstone and Muscleshell country to hunt buffalo and to cure meat. Therefore, as soon as the telegraph carried news that Joseph had started on the Lolo trail, the people of Montana became alarmed.

There was but a single regiment of infantry (Seventh) in all Montana, Col. John Gibbon, commanding, distributed to five posts, four on the eastern border and one on the western, with two small companies, A and G, commanded by Captain Rawn, who were employed in building the new post at Missoula. It is near this place that the Lolo trail debouches into the Bitter Root Valley, the western settlement of Montana. Joseph had many personal acquaintances among the settlers, some of whom are civilized Flatheads, and he managed, with Indian cunning, to cause information to go ahead that he was bound for the buffalo country; that if permitted to go on unmolested he would do no damage; that he had no quarrel with the people of Montana, only with General Howard, &c. But hearing of the approach of these Indians, Captain Rawn left his post in the valley, and with his small command intrenched himself in the Lolo trail, in order to hold the Nez Percés in check till General Howard could come up from the west, or Colonel Gibbon could reach him from the east. Captain Rawn had with him only forty men, but quite a force of citizen volunteers assembled at his redoubt to assist him. The Indians reached Rawn's fort July 28, passed around it into Bitter Root Valley in such numbers that he was not justified in attacking them outside his intrenchments, and with a large herd of horses passed deliberately up the Bitter Root Valley (which is well settled), doing little comparative damage to the inhabitants. Colonel Gibbon was then at Fort Shaw, but by the 27th of July he had drawn to him what few men could be spared from Benton and Baker, marched rapidly one hundred and fifty miles to Missoula, then taking every man that could be spared from there, he started in pursuit with fifteen officers and one hundred and forty-six men (afterwards increased by thirty-four citizens).

Colonel Gibbon's report herewith, marked 3 A, is so spirited that I prefer to let him tell his own story; suffice it for me to say that he overtook the enemy on a branch of Big Hole, or Wisdom River, surprised them at daybreak of August 9th, and for a time had the Indians at his mercy; but their numbers so far exceeded his own, that he in turn was compelled to seek cover in a point of timber, where he fought on the defensive till the Indians withdrew at 11 p. m. on the 10th.

Colonel Gibbon reports his loss at two officers, six citizens, and twenty-one enlisted men killed; five officers, four citizens, and thirty-one men wounded; and on the part of the enemy, eighty-three were buried on the field, "and six dead were afterwards found in a ravine at some distance away." It is otherwise known that the Indians sustained a very heavy and nearly fatal loss in wounded in this fight, and could Colonel Gibbon have had another hundred men, the Nez Percés war would have ended right there.

At 10 a. m. of the 11th, General Howard arrived with a small escort, well in advance of his main command, and his approach may have hastened the departure of the enemy, which had occurred, as before stated, at 11 p. m. the night before; and on the next morning his medical officers, Surgeon C. T. Alexander and Assistant Surgeon Fitzgerald, also reached Colonel Gibbon's command, and "gave the wounded the much-needed attendance" absolutely required, because Colonel Gibbon had no medical officer along.

On the 13th Colonel Gibbon ordered to duty with General Howard three of his officers and fifty men, and with the remainder, being himself wounded, he began his return via Deer Lodge, leaving General Howard to resume his long pursuit. Happening myself to be in Montana at the time, I saw in what estimation Colonel Gibbon and his handful of troops were held, and I heartily joined in the general sentiment. Also having at a later period visited his wounded at Deer Lodge, among them several citizens, I now recommend that the families of the killed and of the wounded citizens, who volunteered, under such circumstances, be placed on the footing of "soldiers" as to pensions. The wounded of all classes had received every possible care at Deer Lodge.

From Gibbon's battle-field on Big Hole, General Howard resumed the pursuit. His men had had a very hard march across the mountains and up the Bitter Root Valley. He followed to Horse Prairie and Junction Station, then threw a force of forty cavalry and some scouts towards Henry's Lake, designing to "intercept and hinder the enemy" so as to overtake them with his main command; but this party, after waiting some days, returned, leaving the route open to the Indians. The Indians seem to have delayed some days on and near the stage-road leading from the Pacific Railroad to Helena, interrupting travel, cutting off telegraphic communication, and causing much alarm to the people generally. General Howard was at Pleasant Valley, on the stage-road, August 18; the Indians at Dry Creek Station. On the 19th General Howard left the stage road toward the east, struck the trail, and made camp eighteen miles distant

at Camas Prairie. Here the Indians turned on him, stampeded and run off at daylight of the 20th his pack-train, which was partially recovered by his cavalry. In this fight Captain Norwood's company (L, Second Cavalry) made a handsome fight. General Howard was soon after compelled to give his men and animals some rest, and take time to collect food and clothing. It was during this rest, at Henry's Lake, that he made his report of August 27, hereinbefore referred to. I recognize the full measure of the labors, exposure, fatigue, and fighting of General Howard and his command, having personally seen much of the route over which he passed, and knowing the great difficulty of procuring food for men and horses in that mountain region. It is simply impossible for infantry, or even cavalry with their single horses, to overtake Indians, who drive along a herd, changing from a tired horse to one comparatively fresh at pleasure; knowing the country as these Indians do, ready to hide in the many rocky cañons, ravines, and dense woods in which that country abounds, and able with a small rear guard to hold at bay any number in pursuit, who often for miles *must* follow trails in single file. Happening to be in Montana at the time, and not wishing to complicate matters by exercising any command except to assist where possible, I gave up my cavalry escort which I had brought up from Tongue River, and was pleased to learn that it was of material assistance to General Howard at Camas on the 20th of August. Several dispatches passed between General Howard and myself, which I insert here entire, because they explain themselves. They have never heretofore been published in full, while garbled parts of them have somehow, without authority, reached the press and were misconstrued.

"HELENA, *August* 21, 1877.

"To General HOWARD:

"Just arrived at Helena. Will remain till I know you are all right and have everything. Telegraph me some account of affairs that I can understand. What is your force? What your plans? Spare nothing to insure success.

W. T. SHERMAN, *General*."

"VIRGINIA, MONT., *August* 24, 1877.

"To General W. T. SHERMAN, *Fort Shaw*:

Just arrived here to communicate with General McDowell. After extraordinary effort to overtake Gibbon, with horses much jaded, I moved rapidly to head off Indians at or near Pleasant Valley. They delayed me a little by their apparent move westward by head of Horse Prairie and Lemhi, but I did not lose a march. Sent a small force to Henry's Lake to skirmish with and delay them; officer staid four days, and concluded that they had broken for the Wind River country. The next day, however, (the 23d), the Indians passed Henry's Lake, through Loches Pass, with my force in close pursuit. At Camas Meadows they stampeded a part of my mules, just before dawn, and in the effort to recover them, brought on a sharp skirmish, after which they fled as usual.

"My command stays at Henry's Lake for supplies, while my Indian scouts watch and bother the hostiles. What I wish is from some eastern force, the hostiles be headed off before they disaffect the Crows or unite with Sioux.

"They have had some re-enforcements in Montana, picked up plenty of excellent stock, and though worried and depleted in numbers, are still able to give battle and do much damage. They have the best arms and plenty of ammunition.

"I hear that Miles, probably Sturgis, is on the Yellowstone, not far from my front. Is that true? My force, all told, is about 200 cavalry, 300 infantry, 50 scouts, and 50 armed pioneers.

"My command is so much worn by over-fatigue and jaded animals that I cannot push it much further. If Miles or Sturgis is near by, with Norwood's company just sent to Ellis, and the 50 Indian scouts that I will send thither, or on the heels of the hostiles, I think I may stop near where I am, and in a few days work my way back to Fort Boise slowly, and distribute my troops before snow falls in the mountains. Wheaton has returned to Lewiston, Idaho, from his successful march northward, and will pick up any small hostile parties skulking in his neighborhood.

"HOWARD,
"*Commanding Department*."

"FORT SHAW, MONT., *August* 24, 1877.

"General HOWARD, *Virginia City*:

"I don't want to give orders, as this may confuse Sheridan and Terry; but that force of yours should pursue the Nez Percés to the death, lead where they may. Miles is too far off, and I fear Sturgis is too slow. If you are tired, give the command to some young, energetic officer, and let him follow them, go where they may, holding his men well in hand, subsisting them on beef gathered in the country, with coffee, sugar, and salt in packs. For such a stern chase infantry are as good as cavalry. Leave to Sturgis

to head them off if he can. I will be at Helena on Tuesday next. No time should be lost. I don't know your officers, but you can select the commander and order accordingly. When the Indians are caught your men can march to the Pacific Railroad and reach their posts by rail and steamboat. They are not needed back in California and Oregon now, but are needed just where they are.

"SHERMAN, *General.*"

"HEADQUARTERS DEPARTMENT OF THE COLUMBIA,
"*August* 27, 1877.

"To W T. SHERMAN,
"*General United States Army, Helena, Mont.:*

"Yours of the 26th (24th) received. You misunderstood me. I never flag. It was the command, including the most energetic young officers, that were worn out and weary by a most extraordinary march. You need not fear for the campaign. Neither you nor General McDowell can doubt my pluck and energy. My Indian scouts are on the heels of the enemy. My supplies have just come, and we move in the morning and will continue till the end. I sent Cushing and Norwood, now *en route*, two days ago to operate from Ellis and Crow agency. Indians captured a party of eight gentlemen and two ladies on Lower Geyser Basin, Friday evening last. Hostiles will probably cross Stinking River about one hundred miles southeast from Crow agency.

"HOWARD,
"*Brigadier General, Commanding Department.*"

"HELENA, *August* 28, 1877.

"General O. O. HOWARD, via *Virginia City*:

"Just back from Benton. Got your dispatch of 27th. Glad to find you so plucky. Have every possible faith in your intense energy, but thought it probable you were worn out, and I sometimes think men of less age and rank are best for Indian warfare. They have more to make. I think Sturgis will look out for your Indians at Clark's Fork, and that Sheridan will have another party at Camp Brown, and still another at the head of Tongue River. But my idea is that the Nez Percés expect to hide in the Big Horn Mountains, about Stinking Water, trusting to your stopping pursuit. Were your force to return to Idaho now, these Indians would surely return to Montana. I start on Thursday for Missoula and Walla Walla. Will report you all well.

"W. T. SHERMAN, *General.*"

"FORT SHAW, MONT., *August* 24, 1877.

"General P. H. SHERIDAN, *Chicago, Illi.:*

"Dispatch received. I don't think Howard'st roops will catch Joseph, but they will follow, trusting to your troops heading them off when they come out on the east of the mountains. Will be back to Helena next Tuesday.

"W. T. SHERMAN, *General.*"

From Henry's Lake in Montana, August 27th, to Bear-paw Mountains, Dakota, September 30th, I have no connected report of General Howard's march and operations, but I have no doubt his promised supplementry report will soon be received; it may be in time to accompany this report. All he could do was to follow where the Indians led, and this he did with praiseworthy zeal and perseverance. On others devolved the task of "heading off" and "capture." The Indians were already in General Sheridan's division, and he promptly gave the necessary orders. He caused a force of six companies of the Seventh Cavalry, under its colonel, Sturgis, to watch the outlet by Clark's Fork of the Yellowstone; another of five companies of cavalry, under Major Hart, of the Fifth, on the Stinking Water, which is a branch of the Big Horn; and still another of ten companies of cavalry, under Colonel Merritt, of the Fifth, on Wind River, northwest of Camp Brown. One or other of these bodies was sure to intercept them, with General Howard's command on their heels.

The Nez Percés, after leaving Henry's Lake, passed up the Madison and Fire Hole Basin into the National Park, crossed the divide and the Yellowstone River above the falls and below the lake. Once across the Yellowstone they seem to have rested their animals, while some of the young men made excursions down to Soda Mountain and Henderson's ranch, burning Jack Baronette's house and bridge, and killing some men and stealing horses and cattle. General Howard after a short rest followed, when the Indians passed on over the Snowy Mountain and down Clark's Fork, General Howard in pursuit. They successfully evaded General Sturgis's command and got across the Yellowstone again near the mouth of Clark's Fork. I inclose General Howard's and Colonel Sturgis's reports of this affair, dated September 12th and 13th, herewith marked B. After the Indians had passed around Colonel Sturgis, it seems that General Howard dispatched him, re-enforced by Major Stanford's battalion of the First Cavalry and

tenant Otis's howitzer battery in "fast pursuit," and from General Sheridan's report I learn that Colonel Sturgis caught several hundred ponies and killed a number of Indians.

The Nez Percés then passed north across the Muscleschell, through Judith Basin (a region once densely filled with buffalo and large game), to the Missouri River at Cow Island. This is a steamboat-landing, one hundred and twenty-five miles below Fort Benton, used for some weeks after the boats stopped running to Benton. Near this place First Lieutenant Edward Maguire, United States Engineers, with a small guard of the Seventh Infantry, was engaged in removing obstructions in the river. With these the Indians lightly skirmished; burned some stores on the landing; forded the river: and, on September 23d, pushed on north toward Milk River and the British boundary, evidently aiming to reach the same harbor of refuge which had been gained by Sitting Bull last winter. But on the 17th of September, Colonel Miles, commanding the district of the Yellowstone, received at his post at the mouth of Tongue River the two dispatches of General Howard and Colonel Sturgis herewith, marked 3 B. He instantly organized the available force of his garrison, and on the morning of the 18th was across the Yellowstone and off in the direction of the mouth of Muscleshell, aiming to head off and capture the Nez Percés. His command reached the Muscleshell, where he crossed the Missouri River on the 27th. There he learned that the Nez Percés had crossed at Cow Island on the 23d. He accordingly moved with extreme rapidity northwest, passed the Little Rockies and Bear-paw Mountains on the 29th, struck the trail, and on the morning of September 30th found the camp on Eagle Creek, near the head of Snake River, which is a tributary of Milk River. For a description of the fight I refer you to Colonel Miles's official report herewith, marked 3 C. The result was complete, viz, the capture of Joseph and the surviving remnant of his brave but dangerous body of Indians. The Indians in this fight lost in killed six of their leading chiefs and twenty-five warriors, with forty-six wounded.

Colonel Miles reports his own loss at two officers and twenty men killed, four officers and forty-one men wounded, the names of all of whom are given.

General Howard, with a small escort, arrived on the field a short time before the surrender, but did not exercise any command. Of course Colonel Miles and his officers and men are entitled to all honor and praise for their prompt, skillful, and successful work; while the others, by their long, toilsome pursuit, are entitled to corresponding credit, because they made that success possible.

All the troops thus engaged are now *en route* back to their several posts and stations by various routes.

Thus has terminated one of the most extraordinary Indian wars of which there is any record. The Indians throughout displayed a courage and skill that elicited universal praise. They abstained from scalping; let captive women go free; did not commit indiscriminate murder of peaceful families, which is usual, and fought with almost scientific skill, using advance and rear guards, skirmish-lines, and field fortifications. Nevertheless, they would not settle down on lands set apart for them, ample for their maintenance; and, when commanded by proper authority, they began resistance by murdering persons in no manner connected with their alleged grievances. With your approval, these prisoners are now *en route* by the most economical way to Fort Leavenworth, to be there held as prisoners of war until spring, when, I trust, the Indian Bureau will provide them homes on the Indian reservation near the Modocs, where, by moderate labor, they can soon be able to support themselves in peace. They should never again be allowed to return to Oregon or to Lapwai.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., December 15, 1877.

SIR: In connection with my report of November 21, 1877, through the Adjutant-General of the Army, of the cost to the Quartermaster's Department in the Division of the Pacific, of the late war with the Nez Percés Indians, in answer to the resolution of the United States Senate of November 13, 1877, I now have the honor to state that a partial report has been received at this office from the chief quartermaster Military Division of the Missouri, in response to telegram from this office of November 20, 1877, which foots up a total cost to the Quartermaster's Department in that division, of the Nez Percés war, of $208,454.29, exclusive of the cost in the Department of the Platte, which is yet to be heard from on the subject.

When the report as to the cost in the Department of the Platte is received at this office, it will be communicated to the War Department.

Very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster-General, Brevet-Major-General, U. S. A.

Hon. the SECRETARY OF WAR.

P. S.—Cost as far as reported—

Division Pacific	$672,685 55
Division Missouri	208,454 29
Total	881,139 84

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., December 18, 1877.

SIR: In connection with my report of the 15th instant, on the subject of the cost of the Nez Percés war, I now have the honor to state that a report has this day been received from the chief quartermaster Department of the Platte (the remaining department to be heard from), showing that the total cost to the Quartermaster's Department, of the Nez Percés war in that department, is $50,189,18.

The following is a recapitulation of the cost of the Nez Percés war to the Quartermaster's Department, as shown in the reports of this office of November 21, December 15, and present report, viz:

Report of November 21, 1877	$672,685 55
Report of December 15, 1877	208,454 29
Present report	50,189 18
Total	931,329 02

Very respectfully, your obedient servant (in the absence of the Quartermaster-General),

HENRY C. HODGES,
Deputy Quartermaster-General, Lieutenant-Colonel, U. S. A.

Hon. the SECRETARY OF WAR.

Statement showing the cost to the Subsistence Department of the United States Army, of the so-called Nez Percés war, in reply to resolution from the Senate of November 13, 1877.

Cost of subsistence supplies in Department of Columbia and with troops, &c., operating therefrom, in excess of cost of supplying troops in peace:		
Issues to employés, scouts, guides, volunteers	$4,584 39	
To troops in excess of average cost of ration	4,690 72	
Difference in issuing hard bread instead of flour	3,234 37	
Meals furnished enlisted men in excess of cost of ration	3,000 00	
		$15,509 48
Cost of issue to volunteers	325 91	
Cost of rations issued to Nez Percés prisoners to November 30, 1877	1,366 09	
Cost of stores destroyed at Cow Island, Mont., by Nez Percés Indians	7,738 75	
Difference of cost of 6,000 pounds of bacon purchased at Fort Benton, Mont., between price paid and cost of bacon if furnished from depot	530 40	
		9,961 15
Expenses to Subsistence Department of the Nez Percés war to November 25, 1877		25,470 63

R. MACFEELY,
Commissary-General of Subsistence.

WAR DEPARTMENT, OFFICE OF
COMMISSARY-GENERAL OF SUBSISTENCE,
December 28, 1877.

O

45TH CONGRESS, 2d Session. } SENATE. { EX. DOC. No. 15.

LETTER

FROM

THE SECRETARY OF WAR,

ACCOMPANYING

The report of Maj. G. Weitzel, Corps of Engineers, on the Louisville and Portland Canal, for the year ending December 31, 1877.

JANUARY 18, 1878.—Referred to the Committee on Commerce and ordered to be printed.

WAR DEPARTMENT,
Washington City, January 16, 1878.

The PRESIDENT *of the United States Senate:*

The Secretary of War has the honor to transmit to the United States Senate, for the information of the Committee on Commerce, a report of Maj. G. Weitzel, Corps of Engineers, on the superintendence, management, and repair of the Louisville and Portland Canal, for the year ending December 31, 1877, with letter of the Chief of Engineers submitting the same.

The report is approved, and in accordance with the provisions of section 3 of the act of Congress of May 11, 1874 (18 Stat., p. 44), the rates of toll mentioned in the letter of the Chief of Engineers are declared and fixed as the charges to be collected for the current calendar year.

GEO. W. McCRARY,
Secretary of War.

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., January 14, 1878.

SIR: To comply with the requirements of section 3 of the act of May 11, 1874, "providing for the payment of the bonds of the Louisville and Portland Canal Company" (Statutes at Large, vol. 18, page 43), I have the honor herewith to submit copies of the report of Maj. G. Weitzel, Corps of Engineers, on the superintendence, management, and repair of that canal for the calendar year ending December 31, 1877, and of the receipts and expenditures for the same period.

It will be seen that during the year the receipts have exceeded the expenditures in the sum of $27,519.68, and that the balance available on the 1st January, 1878, amounts to $54,519.68.

As in previous years, permanent improvements and repairs have been continued on different parts of the work, in order of their necessity, as rapidly as the excess of tolls over expenses of management would warrant, and it will be seen from this report that the policy adopted of continuing to place the canal and its appurtenances in better working condition has gradually and steadily given increased facilities to the business of the canal.

During the last half of the year 1874, 274,365 tons were passed through the canal, at an expense of 9.12 cents per ton for superintendence, management, and ordinary repairs; in the year 1875, 757,695 tons, at 6.14 cents per ton; in 1876, 871,446 tons, at 5.6 cents, and in 1877, 999,610 tons, at 4.97 cents per ton.

In view of the increase of the business and income of the canal during the year, and there being a balance sufficient to complete all the work remaining to be done on the canal, and still leave a sufficient surplus at the end of the year to meet any extra and unforeseen expenses that may arise, Major Weitzel recommends a further reduction of tolls, and that they be established at the following rates, viz:

Steamboats and model barges, 8 cents per ton.
Square barges, flats, coal-boats, &c., 6 cents per ton.
All empty square barges and coal-boats, 5 cents per ton.
Small boats, $4.
Rafts of logs, &c., measurement and rates the same as for coal boats.
Boats belonging to or chartered by the United States, free.
Towing, harbor rates.
Use of dredges, $2.50 per hour.
Use of steam-pump, $2.50 per hour.
Use of dry-dock, $15 first day, and $10 each subsequent day.

It being deemed prudent to have at all times an available surplus of at least $25,000, to meet any sudden and serious accidents that may occur, in order to avoid interruption to commerce, a reduction of tolls greater than the above is not now advisable. There is little doubt, however, that in the next year a further reduction as great as this may be safely made.

Section 3 of the act of Congress above referred to contains the following provision:

And, to ascertain what rates will pay current expenses after the present year (1874), the Secretary of War shall, on the first Monday in January of each year, ascertain from the expenses of the previous year what tolls will probably pay the expenses of the current year; and he shall fix and declare the rate of tolls thus ascertained to be charged for the current year; * * * and he shall, in his next annual report, set forth such receipts and expenditures, and the condition of said canal, with a view to such legislation as may be necessary for the superintendence and management thereof.

It is, therefore, respectfully recommended that the rates of toll above mentioned be adopted as those to be declared and fixed by your authority, in obedience to this law, as the charges to be collected for the current calendar year.

As the report of Major Weitzel contains matter of value relating to commerce and navigation, it is suggested that it be sent to Congress, for the information of the Committees on Commerce of the Senate and House of Representatives.

Very respectfully, your obedient servant,

A. A. HUMPHREYS,
Brigadier-General and Chief of Engineers.

Hon. GEO. W. MCCRARY,
Secretary of War.

SUPERINTENDENCE, MANAGEMENT, AND REPAIR OF THE LOUISVILLE AND PORTLAND CANAL FOR THE YEAR ENDING DECEMBER 31, 1877.

UNITED STATES ENGINEER OFFICE,
Detroit, Mich., January 4, 1878.

GENERAL: In accordance with your instructions and to enable the honorable Secretary of War to comply with the provisions of section 3 of the act of Congress, approved May 11, 1874, entitled

An act providing for the payment of the bonds of the Louisville and Portland Canal Company—

I have the honor to submit the following report on the superintendence, management, and repair of the Louisville and Portland Canal for the calendar year ending December 31, 1877.

Captain A. Mackenzie, corps of engineers, was my assistant in immediate charge of this work until November 22, 1877, when he was relieved by Captain A. N. Lee, corps of engineers, who had been on duty on the work with him since September 8, 1877.

In the preparation of the report of Captain Lee, which is hereto annexed as part of this, he was materially assisted by Captain Mackenzie.

The tables, which are included in this report, give detailed statistics bearing on practical professional points.

We have continued to pursue the same policy which was adopted when the government first took charge of the work.

Permanent improvements and repairs were continued on different parts of the work, in the order of their necessity, as rapidly as we judged that the excess of tolls over the amount required for superintendence and management would warrant.

In pursuance of this policy and with your authority the following permanent improvements and repairs have been made during the past year, viz:

The repair of entire dredge apparatus, which had been previously begun, was completed. This apparatus consists of the tow-boat, two dredges, and four mud-scows, and is now in the most complete working order.

The guard-gates at the head of the canal and those at the head of the new locks were entirely rebuilt.

All the friction-drums in the well-holes of the new locks have been reset and greatly strengthened.

New winding-drums have been put in at the middle gates, and new gearing has been added, thus increasing the power of the capstan and strengthening all parts of the apparatus.

One-inch steel chains have been attached to the middle gates, in place of the seven-eighth-inch iron chains, which frequently broke.

The work of applying larger drums and stronger chains to the lower gates has been begun.

An office for the superintendent of the canal has been built.

A wood-boring apparatus has been added to the machinery of the shops.

A large portion of the slope adjacent to the locks has been graded and sodded.

A second fire-cistern, with a capacity of five hundred barrels, has been built near the toll-collector's house, and powerful fire-pumps and hose provided for it as well as the other fire-cistern near the machine-shop.

The miter-sills of the middle gates of the new locks were repaired.

The work of repairing the old locks and converting its three chambers

into two, was begun and prosecuted diligently until the rise in the river stopped the work. The lower sill has been thoroughly repaired; the greater portion of the rock excavation in the lower chamber has been completed, and the building of new gate recesses was begun.

New lights, furnished by the Light-House Establishment, have been placed in position, so that work by night is almost as easy as by day.

It will be seen from the annexed tables that the effect of our policy in placing the canal and appurtenances in better working condition has gradually and steadily improved the business of the canal.

During the last six and two-thirds months of 1874, 274,365 tons were passed through at an expense of 9.12 cents per ton for superintendence, management, and ordinary repairs. In 1875, 757,695¾ tons, at 6.14 cents per ton. In 1876, 871,446½, at 5.6 cents per ton, and in 1877, 999,610$\frac{7}{16}$ tons, at 4.97 cents per ton.

The expense during the last year in passing the three greatest articles which go through in bulk, was as follows, viz: coal $\frac{1}{6}$ cent per bushel; salt 1$\frac{1}{14}$ cent per barrel; and iron-ore 8$\frac{3}{5}$ cents per ton.

According to the books in my office, the receipts during the last year amounted to $88,462.10, and the total expenditures, $60,942.42. This leaves a surplus for the year, of $27,519.68. There was on hand at the beginning of the year $26,955.60; so that we had $54,475.28 on hand on the first of this month.

In Captain Lee's report, the expense for repairing friction-drums, winding-gear, steel chains, &c., is incorrectly charged to the running expenses of the canal. They are all permanent repairs, and their cost amounted to about $3,500. The amount expended for permanent improvements and repairs during the year was, therefore, about $15,000. The running expenses of the canal, including the ordinary repairs, was, therefore, about $46,000.

It will be further observed by examining the table of receipts, that the business and income of the canal was considerably increased over the year preceding, in spite of the fact that during a part of August, and the whole of September and October, navigation was almost entirely suspended by low water, and in spite of the fact that the receipts were diminished $3,270.72 by reducing the rate on empty coal-barges, on their return-trip.

For this reason, and as we now have on hand the very handsome surplus of $54,475.28, which will not only complete all the work still to be done and that which is already authorized and still leave us a good surplus at the end of this year, I take great pleasure in recommending a reduction of tolls, and that they be fixed at the following rates, viz:

Steamboats and model barges, 8 cents per ton.
Square barges, flats, coal-boats, &c., 6 cents per ton.
All empty square barges and coal-boats, 5 cents per ton.
Small boats, $4.
Rafts of logs, &c., measurement and rates, the same as for coal-boats.
Boats belonging to or chartered by the United States, free.
Towing, harbor rates.
Use of dredge, $2.50 per hour.
Use of steam-pump, $2.50 per hour.
Use of dry-dock, $15 first day, and $10 each subsequent day.

The rates heretofore charged by the government were a little less than one-fifth of those charged by the former management. The new rates will be a little less than one-sixth of those.

As there is always more or less liability to serious accidents on canal-locks, and especially on such large ones as those of this canal, I think it wise and prudent to have at all times an available surplus of at least

$25,000; hence I do not recommend now a greater reduction. I have not the least doubt that next year a further reduction and one as large as now recommended may be safely made.

The total receipts on this canal from June 11, 1874, to December 31, 1877, during which time the government has had charge of it, amount to $259,795.51; the total expenditures, $205,320.23, leaving the surplus of $54,475.28. The expenditures include about $45,000 for permanent repairs.

By the use of the canal force and the machinery in the canal shops, a saving of $15,000 below fair contract prices has been effected in the work already done.

In conclusion I desire to commend Captains Mackenzie and Lee and their assistants for the faithful and economical manner in which they have conducted this work.

Annexed hereto is the financial statement for the year.

Very respectfully, your obedient servant,

G. WEITZEL,
Major of Engineers.

Brig. Gen. A. A. HUMPHREYS,
Chief of Engineers, U. S. A.

Financial statement for calendar year ending December 31, 1877.

Deposits.		Expenditures.	
Month.	Amount.	Month.	Amount.
1877.		1877.	
January	$920 56	January	$3,431 11
February	9,269 36	February	4,058 93
March	3,867 36	March	5,692 36
April	11,256 46	April	5,244 07
May	11,678 01	May	4,675 87
June	10,390 34	June	6,302 73
July	9,631 25	July	60 16
August	3,798 59	August	8,716 88
September	1,957 20	September	1,239 55
October	1,930 00	October	9,994 24
November	9,498 95	November	6,167 88
December	14,364 02	December	5,358 64
Total	88,462 10	Total	60,942 42

Cash on hand December 31, 1876	$26,955 60
Surplus for 1877	27,519 68
Cash on hand December 31, 1877	54,475 28

REPORT OF CAPTAIN A. N. LEE, CORPS OF ENGINEERS.

LOUISVILLE AND PORTLAND CANAL OFFICE,
Louisville, Ky., December 31, 1877.

SIR: In accordance with your instructions, I have the honor to submit the following report upon the superintendence, management, and repair of the Louisville and Portland Canal for the calendar year ending December 31, 1877.

Detailed reports have been made semi-annually since the government assumed control of the canal, and to avoid a repetition it will be sufficient to say that the principle adopted of placing all parts of the canal in perfect working order as fast as economical expenditure of receipts would permit has been carried out, and the close of the year finds the canal and accessories in a better condition than ever before.

WORK ACCOMPLISHED DURING THE YEAR.

The rebuilding of dredge No. 2 and dump-scow No. 4 was completed in January, and new dippers were subsequently put on both dredges. This closed the extensive repairs of dredging-apparatus, leaving tow-boat, dredges, scows, &c., in very good condition, with at least double the capacity they had before repairs were made.

Two new sets of gates have been built, one for the head of the new locks, and one for the head of the canal.

The friction-drums in all the well-holes of the new locks have been reset and greatly strengthened.

New winding-drums have been put in at the middle gates of the new locks, and gearing has been added, increasing somewhat the power of the capstans and strengthening all parts of the apparatus.

One-inch steel chains have been attached to the middle gates, replacing the ⅞-inch iron chains which formerly caused great annoyance by frequently breaking.

The new and enlarged drums and heavy chains have proved such a success that arrangements have already been made for making similar changes at the lower gates.

An office for the superintendent of the canal has been completed.

A boring-apparatus has been added to the machinery of the shops.

A large portion of the slope in the vicinity of the locks has been graded and sodded.

A second fire-cistern, holding 500 barrels, has been built near the toll-collector's house, and powerful fire-pumps with requisite hose have been provided for Nos. 1 and 2.

On the 18th of September, the water being low and business almost suspended, the canal was closed for repairing the middle miter-sill of the new locks. All broken and injured stones were replaced by hard limestone set in Portland cement; new bolts were driven, and all parts of the sill and wooden cushion made as firm as possible. This work occupied about sixteen days, and the canal was reopened October 15.

The repairs of the middle miter-sill were made as thorough as possible; but the work can only be considered temporary. When time will permit, the whole sill must be rebuilt.

While the water was out the miter-sill and roller-ways of the guard-gates at the head of the canal were thoroughly repaired.

In September authority was obtained for making extensive repairs on the old locks, converting the three lifts into two, and giving chambers that will not only pass all the stern-wheel boats running during low water, but will also afford great relief when coal tows are passing through the canal. Already the lower miter-sill and roller-ways have been thoroughly repaired, the greater portion of the rock excavation in the lower chamber has been made, and the building of new gate recesses has been commenced.

During the year new lights, furnished by the Light-House Department, have been put up at the new locks. Work by night is now about as easy as work by day.

Most all of the work above referred to, in addition to numerous minor improvements, ordinary repairs, and regular duties, has been carried on under the immediate direction of the superintendent, and as far as possible the work has been done by the regular employed mechanics and laborers.

The work done by tow-boat and dredges, and by the lock-hands in passing boats, is given in tables annexed.

NUMBER AND SALARY OF EMPLOYÉS.

During the past year extra mechanics and laborers have been employed upon works of improvement, but the regular canal force has remained as given in last annual report, excepting that the position of "foreman of dredges" has been done away with.

The regular pay-roll of employés now amounts to $38,115. Since the government assumed control of the canal, the pay-roll has been reduced $1,845. It is almost certain that further reductions will be made during the coming year.

RATES OF TOLL.

The rates of toll charged during the past year have been the same as charged during the year 1876, excepting that the recommendation to reduce tolls on empty barges on a return trip, from 8 to 5 cents, was approved February 26, 1877. This change has reduced the receipts during the year $3,270.72.

RECEIPTS AND EXPENDITURES.

The receipts for the year have amounted to $88,737.23, being $27,351.33 in excess of the total expenditures, and $39,240.67 in excess of the operating expenses.

There has been expended during the year $61,385.95; of this amount $11,889.34 was applied to extensive repairs and improvements of a permanent nature, leaving $49,496.61 as the expense of operating the canal. These operating expenses include large amounts paid for repairing friction-drums, winding-gear, &c., and are for that reason in excess of similar expenses in 1876.

The operating expenses of this canal are very large in consequence of the heavy deposits of sediment and cost of removing, as well as the size and weight of the gates and the force required to move them. No comparisons can be made with the expense of operating other canals, for at no other point is the same combination of difficulties met with. When new gates are built, sink-basins provided, and other than man-power employed, expenses can be greatly reduced.

The total receipts since the government assumed charge of the canal in June, 1874, have amounted to $260,070.69, and the total disbursements, including $40,589.92 expended on permanent work, have amounted to $205,763.76, showing a saving with reduced tolls of $54,306.93.

Authority has been granted from time to time for doing work amounting, at fair contract prices, to $43,650. This work has cost but $28,292.22. This saving may be attributed to the doing of work gradually under the direction of the superintendent of the canal and to the use of machinery in the canal shops.

WORK PROJECTED FOR NEXT YEAR.

During the coming year the works of improvement given in the report for the year 1876 will be carried out as fast as authority is obtained and an economical system of working will permit.

Cottages for the lock-hands and a coal-elevator will be erected, steam-power will be tried on the gates, and the repairs of the old locks will be completed if the stage of the river will permit.

Former reports have referred to many extensive improvements, such as building a new wall on the north side of the canal, enlarging the dry-dock, building large basins above and below the new locks to lessen obstruction of the canal during coal-runs, rebuilding miter-sills, and providing sink-basins to remove deposit from front of gates. On account of expense it has rather been assumed that much, if not all, of this work would, if done, be paid for by appropriation and not from the tolls collected.

CONCLUSION AND RECOMMENDATIONS.

While the past year, owing to more continued low water, has not been perhaps quite as favorable for navigation as the year 1876, yet the receipts, owing to the heavy coal-runs of November and December, have been larger, and it is evident that the canal can be made self-sustaining with even a lower rate of toll than is now charged.

Assuming that appropriations will be made for the most extensive improvements and enlargements, and considering that the heaviest outlays for repairs of the working parts of the canal are either paid or provided for by the present balance, I think a gradual reduction in the rate of toll should now be commenced, but to insure a surplus fund the reduction must be gradual.

I am of the opinion that if the tolls are reduced one-fifth the receipts for the year 1878, together with the balance now on hand, will not only be sufficient to pay expenses of "superintendence, management, and repair," complete the work on the old locks, build cottages and coal elevator, and if necessary new middle gates, but will also give a balance at the end of the year 1878 of at least $25,000.

I would recommend that the present system of management be continued.

I would recommend the following rate of tolls and charges for the year 1878:

Toll on—

Steamboats, and model barges 8 cents per ton.

Square barges, flats, coal-boats, &c., 6 cents per ton.

All empty square barges and coal-boats, 5 cents per ton.

Small boats, $4.

Rafts of logs, &c., measurements and rates the same as for coal-boats.

Boats belonging to or chartered by the United States, free.

Charges for—

Towing, harbor rates.

Use of dredge, $2.50 per hour.

Use of steam-pump, $2.50 per hour.

Use of dry-dock, $15 first day, and $10 each subsequent day.

I would respectfully renew the recommendations made in the report for the calendar year 1876, and especially that referring to rules and regulations.

In conclusion, I would bear witness to the faithful, just, and efficient manner in which the superintendent and his assistants have performed their duties, often rendered very difficult by the conflicting interests and opinions of steamboat men, some of whom have, during the past year as well as during previous years, ever been ready to find fault and condemn without reason, when the decision or order of the superintendent was not in accordance with their individual opinions, and for their special benefit.

Very respectfully, your obedient servant,

A. N. LEE,
Captain of Engineers.

Maj. G. WEITZEL,
Corps of Engineers, U. S. A.

Statement of boats passed through Louisville and Portland Canal, number of lockages, and amount dredged for the year ending December 31, 1877.

Month.	Number and under-tonnage of steamboats, barges, and small boats, &c.													Number of lockages.		Greatest number of lockages in one day.					Number of days closed by ice, high water, repairs, &c.	Number of miles run by tow-boat.	Number of cubic yards of sediment removed.
	Passenger-boats.		Tow-boats.		Model barges.		Square barges.		Empty barges on return trip.		Small boats.	Total.											
	Number.	Under-tonnage.	Number.	Under-tonnage.	Number.	Under-tonnage.	Number.	Measured capacity.	Number.	Measured capacity.		Number.	Under-tonnage.	Day.	Night.	Number of lockages.	Number of chambers.	No. of boats passed.	Number of tons.	Time occupied.			
1877.																				h. m.			
January	3	858	6	1, 361	5	1, 075	30	9, 323	...	.....	5	49	12, 617	5	12	7	2	19	5, 295	10 10	28	19	1, 216
February	61	27, 186	38	5, 518	49	11, 315	201	59, 630	...	.....	13	362	103, 649	84	82	15	1	41	14, 431	18 30	.....	177	10, 184
March	40	17, 286	11	1, 491	26	6, 480	53	12, 333	...	.....	12	142	37, 590	37	35	9	2	29	7, 560	12 30	13	165	11, 248
April	56	25, 884. 8	38	6, 192	60	15, 101	284	82, 911	71	20, 120	16	525	150, 208. 8	116	78	21	2	71	18, 582	21 15	3	114	8, 094
May	74	32, 682	39	6, 837	77	19, 969	150	39, 902	86	20, 569	23	449	119, 959	87	85	13	2	40	10, 134	13 50	.....	236	11, 020
June	79	34, 347	44	5, 720	82	19, 931	180	47, 248	32	7, 505	11	428	114, 751	98	81	13	2	46	13, 477	18 00	.....	142	10, 146
July	79	33, 984	38	5, 887	76	20, 434	106	27, 785	102	28, 041	13	414	116, 131	99	76	12	2	34	10, 510	12 05	.....	230	11, 704
August	83	25, 676	38	2, 585	29	5, 256	34	3, 822	1	273	19	204	37, 612	59	63	8	2	15	3, 203	8 35	.....	47	4, 598
September	50	10, 811	4	343	9	1, 693	15	1, 766	16	4, 042	2	96	18, 655	34	24	6	2	10	1, 774	8 50	12	137	2, 166
October	64	14, 243	25	1, 510	9	1, 627	37	3, 441	...	.....	9	144	20, 821	61	29	7	2	14	1, 305	9 15	4	112	3, 952
November	95	31, 006	45	5, 193	72	6, 737	204	38, 538	58	14, 931	44	518	96, 405	131	80	16	2	51	13, 522	18 30	.....	172	1, 444
December	86	34, 343	48	8, 087	69	18, 073	279	97, 166	60	13, 543	8	550	171, 212	126	82	14	2	24	11, 447	12 05	.....	100	3, 306
Total	770	288, 306. 8	374	50, 724	563	127, 691	1, 573	423, 865	426	109, 024	175	3, 881	999, 610. 8	937	727	.....	....	.....	.....	.....	60	1, 651	79, 078

Statement of expenditures for superintendence, management, and repairs of the Louisville and Portland Canal for the year ending December 31, 1877.

Date.	Lockage department.			Dredge department.			Improvements.	Grand total.
	Labor.	Purchases and repairs.	Total.	Labor.	Purchases and repairs.	Total.		
1877.								
January	$2,330 00	$82 49	$2,412 49	$905 00	$74 18	$979 18	$394 03	$3,785 70
February	2,446 67	263 60	2,710 27	1,044 56	328 75	1,373 31	177 96	4,261 54
March	2,380 00	645 78	3,025 78	915 00	366 91	1,281 91	719 36	5,027 05
April	2,458 50	1,472 78	3,931 28	928 50	240 62	1,169 12	878 91	5,979 31
May	2,418 33	191 63	2,609 96	915 00	296 98	1,211 98	982 87	4,804 81
June	2,424 33	862 80	3,287 13	927 33	260 15	1,187 48	1,011 89	5,486 50
July	2,384 83	264 04	2,648 87	925 58	194 80	1,120 38	1,172 43	4,941 68
August	2,330 00	230 01	2,560 01	915 00	261 85	1,176 85	1,368 13	5,104 99
September	2,205 00	1,083 71	3,228 71	900 00	235 82	1,135 82	1,417 42	5,841 95
October	2,286 00	1,101 71	3,387 71	852 00	170 16	1,022 16	2,178 12	6,587 99
November	2,247 52	814 05	3,061 57	821 34	203 98	1,025 32	1,084 66	5,171 55
December	2,697 39	147 97	2,845 56	820 00	223 76	1,043 76	503 56	4,392 88
Total	28,608 77	7,160 57	35,769 34	10,869 31	2,857 96	13,727 27	11,889 34	61,385 95

Statement of amount of coal, salt, and iron ore passed through the Louisville and Portland Canal for the year ending December 31, 1877.

Designation.	Number of tons charged for.	Number of bushels, barrels, or tons carried.	Amount of toll collected.	Cost of lockage for one bushel, barrel, or ton.
Coal	274,223	12,975,200 bushels	$22,346 46	.166 c. per bushel.
Salt	26,120	211,200 barrels	2,668 56	1.07 c. per barrel.
Iron ore	21,873	27,893 tons	2,256 40	8.61 c. per ton.

Comparative statement of receipts, boats passed, work done, and expenses, Louisville and Portland Canal, for the year ending December 31, 1877.

Year.	Monthly receipts.												Source.				
	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Tolls.	Dry-dock.	Towing.	Rents.	Total.
1874	.....	.....	.....	.....	.....	$2,744 85	$1,460 65	$3,227 65	$1,249 05	$1,488 55	$1,704 08	$8,520 70	$19,606 25	$464 28	$45 00	$280 00	$20,395 53
1875	$3,015 25	$2,092 40	$1,525 76	$10,277 44	$12,935 48	7,447 07	2,864 96	3,406 81	3,715 86	3,289 32	8,225 00	11,380 26	68,664 75	599 21	350 00	561 65	70,175 61
1876	2,953 47	1,342 81	7,660 22	10,204 40	14,927 99	8,105 42	6,611 78	5,388 52	4,765 66	6,920 33	9,367 93	2,613 74	79,854 31	220 96	275 00	412 00	80,762 27
1877	1,100 24	9,311 30	3,598 34	12,509 91	10,501 41	10,260 89	9,822 85	3,891 11	1,673 08	2,058 48	9,410 19	14,599 48	87,907 78	195 00	223 50	411 00	88 737 28
Total	7,068 96	12,746 51	12,784 32	32,991 75	38,364 88	28,458 23	20,760 24	15,914 09	11,403 75	13,756 68	28,707 20	13,114 18	256,033 09	1,479 45	816 00	1,664 65	260,070 69

Year.	Steamboats.		Tow-boats.		Model barges.		Square barges.		Small boats.	Total boats and tonnage.		Number of cubic yards dredged.	Number of miles run by tow-boat.	Number of days locks closed.	Number of lockages.	Cost per ton, including total expenses of management.
	Number.	Under-tonnage.	Number.	Under-tonnage.	Number.	Under-tonnage.	Number.	Measured capacity.	Number.	Number.	Tonnage.					
1874	343	101,016	92	14,440	.....	.....	690	158,909	39	1,164	274,365	.....	.....	.....	.....	$9 12
1875	647	234,248	281	44,420	593	146,517½	1,270	333,510¼	90	2,881	757,695¼	90,488	1,863.5	93	1,404	6 14
1876	824	295,262	267	45,583	571	141,858¼	1,474	388,743	128	3,264	871,446½	94,988	2,173	59	1,604	5 06
1877	770	288,306.8	374	50,724	563	127,691	1,999	532,889	175	3,881	999,610.8	79,078	1,651	60	1,664	4 97
Total	2,584	918,832.8	1,014	155,167	1,727	416,067	5,433	1,414,051¼	432	11,190	2,904,117 11/16	264,554	5,687.5	212	4,669	.....

Comparative statement of receipts, tonnage, work done, and expenses, Louisville and Portland Canal, etc.—Continued.

Year.	Expenses lockage department.								Expenses dredge department.									
	Labor.								Labor.									
	Regular.	Extra.	Repairs.	Lights.	Forage.	General purchases.	Office expenses.	Total.	Regular.	Night-work.	Repairs.	Fuel.	Lubricating oil.	General purchases.	Total.	Total superintendence, management, and repair.	Permanent improvements.	Grand total.
1874	$15,099 78	.....	$420 43	$44 27	$275 02	$85 80	$35 45	$15,960 75	$6,830 00	.....	$459 96	$1,599 00	$106 95	$69 50	$9,065 41	$25,026 16	$155 95	$25,142 11
1875	27,729 00	$545 57	700 63	108 85	337 07	67 21	39 08	29,518 41	12,240 00	$633 19	884 22	3,053 25	186 80	69 51	17,066 97	46,585 38	3,174 11	49,759 49
1876	26,870 00	299 86	1,141 74	123 12	294 38	143 25	173 43	29,045 78	11,760 00	265 42	797 87	2,072 00	104 87	19 75	15,019 91	44,065 69	25,410 52	69,476 21
1877	27,465 00	1,143 77	5,861 34	162 12	305 32	692 41	139 38	35,769 34	10,650 00	219 31	378 86	2,101 33	199 03	178 74	13,727 27	49,496 61	11,889 34	61,385 95
Total	97,154 78	1,989 20	8,124 14	438 36	1,211 79	988 67	387 34	110,294 28	41,480 00	1,117 92	2,520 91	8,825 58	597 65	337 50	54,879 56	165,173 84	40,589 92	205,763 76

O

IN THE SENATE OF THE UNITED STATES.

LETTER

FROM

THE ATTORNEY-GENERAL

TRANSMITTING

In answer to a Senate resolution of December 7, 1877, a tabular statement of all criminal prosecutions commenced in the courts of the United States in the district of South Carolina since January 1, 1876, for offenses against the lives, property, civil rights, or right of suffrage of any person.

JANUARY 18, 1878.—Referred to the Committee on the Judiciary and ordered to be printed.

DEPARTMENT OF JUSTICE,
Washington, January 17, 1878.

To the Senate of the United States:

I have the honor to submit the tabular statement herewith inclosed, in compliance with a resolution of your honorable body passed December 7, 1877, a copy of which is appended hereto.

I have the honor to be, very respectfully, your obedient servant,

CHA'S DEVENS,
Attorney-General.

Copy of resolution.

IN THE SENATE OF THE UNITED STATES,
December 7, 1877.

Resolved, That the Attorney-General be, and he hereby is, directed to communicate to the Senate, as soon as may be, a list of all criminal prosecutions commenced in the courts of the United States in the district of South Carolina since the 1st day of January, 1876, for offenses against the lives, property, civil rights, or right of suffrage of any person, with the names of the alleged offenders, and a statement of the disposition of such prosecutions and the dates thereof.

Tabular statement of all criminal prosecutions commenced in the courts of the United States in the district of South Carolina since January 1, 1876, for offenses against the lives, property, civil rights, or right of suffrage of any person.

Names of defendants.	Offense charged.	Date of indictment.	Verdict.	Sentence.	Remarks.
		1876.			
Andrew Pickens Butler George W. Bush Angus P. Brown George W. Croft Dawson Atkinson George Bush Paul F. Bowers Augustus McDaniel William Bush John Bowers John Bush	Conspiracy against the elective franchise and civil rights of citizens, under U. S. R. S., §§ 5508, 5520.	Nov. 29	.....	.....	December 1, 1876, discontinued and new information filed against parties.
Andrew Pickens Butler George W. Croft Angus P. Brown Abner W. Atkinson George W. Bush George B. Bush Paul F. Bowers Augustus McDaniel William L. Bush John Bowers Whitmore W. Stallings John M. Bush	....do	Dec. 1	.....	.....	December 6, 1876, information quashed on the ground that the offenses charged were infamous and should have been prosecuted by indictment.
		1877.			
Theodore L. Gallard	Intimidating voter.	Jan. 5	.....	.....	Continued.
Andrew Pickens Butler	Offense against elective franchise, under U. S. R. S., §§ 5508, 5520.	Apr. 24	.....	.....	Continued by court on defendant's motion.
George W. Croft	....do	..do	.....	.....	Trial by jury; mistrial.
Angus P. Brown	....do	..do	.....	.....	Do.
Abner W. Atkinson	....do	..do	Not guilty	.....	Trial by jury.
George W. Bush George B. Bush Paul F. Bowers Augustus McDaniel William L. Bush John Bowers Whitmore W. Stallings John M. Bush	....do	..do	.....	.....	Trial by jury; mistrial.
Alonzo Ashley William Woodward Richard Anderson	....do	..do	.....	.....	Continued.
John Ready, jr Alexander Bush	....do	Apr. 23	.....	.....	Do.
Thomas P. Jones N. A. Patterson Milledge Brown Hinchley Goodwin Thomas Dunbar William Hankerson	....do	..do	.....	.....	Do.
Angus P. Brown Paul F. Hammond M. Everett Stallings Jesse Dias George Dias Milledge Brown David R. Howard Claude Hammond James M. Cobb Charles W. Simpkins E. Spann Hammond	....do	..do	.....	.....	Do.
George W. Croft Alonzo Harley Scott Tyler Paul F. Bowers Philemon Eve Benjamin McDaniel John Bowers Isaac Foreman Isaac W. Foreman James O. Boyd Christopher Lowe	....do	..do	.....	.....	Do.

Tabular statement of all criminal prosecutions, &c.—Continued.

Names of defendants.	Offense charged.	Date of indictment.	Verdict.	Sentence.	Remarks.
		1877.			
William J. Wood Benjamin Rigdon John Cook James Way Isaac Boyd William Boyd George Harley Joseph Bowers	Offense against elective franchise, under U. S. R. S., §§ 5508, 5520.	Apr. 23			Continued.
Andrew Pickens Butler Angus P. Brown Augustus Bush Robert Dunbar, jr Thomas L. Bush Frank Dunbar W. A. Ramsay	do	do			Do.
Henry Getzen Christopher Lowe Garrett Toole Matthew Ramsay Golphin S. Simpkins Edward Hankerson Jesse Foreman Scott Tyler E. Spann Hammond	do	do			Do.
Luther Holley Milledge Brown Shade A. Redford Philip H. Eve James M. Cobb William Williamson Allen Williams R. Dunbar Lamar William C. Page Thomas Page Frank Dunbar William Wilson	do	do			Do.
Elmore Ashley David Turner George Bates William Randall James Green George Boyd	do	do			Do.
John M. Baughman Job Baughman Marion Wall John Ready, sr Angus Dicks Lawrence Green Richard Roundtree	do	do			Do.
Milton Turner Edward Turner David Turner Evans Widener Calvin Roundtree	do	Apr. 24			Do.
L. Jefferson Weathersby George Turner Hampton H. Weathersby Arthur Weathersby William E. Bates James Bates Charles S. Roundtree Charles C Myers Jacob Forman Joseph Stallings Whitmore W. Stallings	do	do			Do.
Jefferson Williams Wallace N. Miller Arthur Stallings Angus P. Dicks Thomas Weathersby James J. Green Darling Beard Pickens Butler Loudon Alloway William J. Dias Edward Williams William Patterson Proctor William Steed	do	do			Do.

Tabular statement of all criminal prosecutions, &c.—Continued.

Names of defendants.	Offense charged.	Date of indictment.	Verdict.	Sentence.	Remarks.
		1877.			
William T. Ramsey Luther Roundtree E. Stuart Simpkins M. Everett Stallings James J. Meyer James M. Boyd Isaac W. Foreman Benjamin Rigdon Robert A. Chafee Glover Turner James P. Hankerson Theodore Hankerson	Offense against elective franchise, under U.S. R. S., §§ 5508, 5520.	April 24			Continued.
Paul F. Bowers John Bowers James Bush David Crosland Allen Williams Ignatius McDaniel Sidney Hankerson George S. Newman Warren Beard John Hankerson	do	do			Do.
James B. Cochran William D. Bush William Bailey Crocker Beck John A. Green	do	do			Do.
Anselm G. Miller John Green Hampton A. Weathersby Alfred Betterson Patrick Murphy John Owens Frank Owens Frank M. Green Abram Widener	do	do			Do.
Winchester J. Weathersby Jack Dicks George Bryan Bush John C. Bush William D. Bush R. Elmere Tyler Martin Tyler Lucius Bush Kay J. Tyler	do	do			Do.
Henry McElmurray Milledge Myers William Marine Archibald Prior Isaac Stallings Lafayette Lard Counsel Tyler	do	April 25			Do.
William Floyd Weathersby, *alias* Chunk Weathersby. McDuffie Meyers	do	do			Do.
Dawson Atkinson William Hammond Jeremiah Bates, *alias* Jerry Bates Henry Conley Samuel Horn Hal Hammond Charles Hammond Thomas Bush	do	do			Do.
Preston Page Wade Lamar John Lamar Robert Lamar William H. Harrison Butler, *alias* Harrison Butler Henry Twiggs William C. Frazer Joseph Tavell Richard Furse William Tavell George Pettis	do	do			Do.

Tabular statement of all criminal prosecutions, &c.—Continued.

Names of defendants.	Offense charged.	Date of indictment.	Verdict.	Sentence.	Remarks.
		1877.			
Hampton H. Weathersby Benjamin Buford Allen Williams John Beard Luther Green Counsel Tyler Richard Beck Lucius Dicks Robert Dicks Calvin Ray Charles Evins	Offense against elective franchise, under U. S. R. S., §§ 5508, 5520.	April 25	.....	....	Continued.
John Killingsworth Job Anderson R. J. Baughman, *alias* Jesse Baughman. Lafayette Carr David Ready	....do	..do	.....	....	Do.
Benjamin Weathersby Edward Hightower Wilson Hightower William Holman					
George Walker William Walker William Key, jr J. D. Everett Francis Pickens Woodward	....do	..do	.....	....	Do.
J. D. Brown Joseph Miller Hampton Haur Ashley Weathersby Ashley Stansel Lewis Thompson Martin Weathersby	....do	April 26	.....	....	Do.
Warren Keenan Dickson Owens John F. Owens William Dicks Glover Moore Robert Dicks Benjamin Green	....do	..do	.....	....	Do.
Andrew Pickens Butler George W. Croft Augus P. Brown and 233 others.	....do	.....	.....	....	December term, 1877, Ellenton cases continued.

LETTER

FROM

THE SECRETARY OF WAR,

COMMUNICATING,

In compliance with a resolution of the Senate of the 10th instant, a report from Major Suter upon the survey of the Missouri River at Omaha.

JANUARY 21, 1878.—Referred to the Committee on Commerce and ordered to be printed.

WAR DEPARTMENT,
Washington City, January 17, 1878.

The Secretary of War has the honor to transmit to the United States Senate, in compliance with Senate resolution dated the 10th instant, a copy of a report from Major Suter, Corps of Engineers, upon the survey of the Missouri River, at Omaha.

GEO. W. MCCRARY,
Secretary of War.

The PRESIDENT *of the United States Senate.*

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., January 14, 1878.

SIR: I beg leave to return herewith the resolution of the Senate of the United States of the 10th instant—

That the Secretary of War be, and he is hereby, directed to transmit to the Senate at as early a day as practicable, a copy of the report of the engineer who was detailed to make examination and survey of the Missouri River at or near Omaha, Nebr., and to report on the damage to navigation and property caused by the recent cut-off in said river; said report to include the probable cost of the improvements necessary to prevent further damage—

And, in compliance therewith, to submit the inclosed copy of the report of Maj. Charles R. Suter, Corps of Engineers, the officer under whose direction the survey at Omaha was made.

It will be seen that Major Suter submits an estimate, for the protection of the bank of the river at that point, of $80,000.

Very respectfully, your obedient servant,

A. A. HUMPHREYS,
Brigadier-General and Chief of Engineers.

Hon. GEO. W. MCCRARY,
Secretary of War.

SURVEY OF THE MISSOURI RIVER AT OMAHA, NEBRASKA.

UNITED STATES ENGINEER OFFICE,
Saint Louis, Mo., December 14, 1877.

GENERAL: In accordance with your instructions of April 30, 1877, I dispatched a party to Omaha, Nebr., on May 19, to make a survey of the Missouri River, at that point, with a view of determining whether it were possible to prevent the formation of a threatened cut-off, and generally to protect the banks in the neighborhood from the encroachments of the river. At the time this survey was made the water was already flowing over the neck in several places, and before the subject could be considered the river broke through. During the month of November another survey was made, and the results of the two surveys are set forth on the map which occompanies this report. The cut-off was formed July 8, and a very violent erosion began at the apex of the new bend, threatening all the low ground in front of the bluffs, with the car-shops of the Union Pacific Railroad, and other buildings erected on it, as well as the western approaches to the bridge. The danger was met by the Union Pacific Railroad Company, who constructed a loose stone revetment along the portion of the bank most violently attacked, and succeeded finally in checking the erosion, until the falling of the river removed the immediate danger.

It is, however, pretty certain that at the next flood stage the cutting will be renewed, and there is no telling where it will stop. The river is yet in a very unstable condition, the slope being inordinately great, and the curvature of the bend excessive. I do not, therefore, consider that it would at present be practicable to attempt the permanent rectification of the channel, but would recommend that any work done be solely directed to prevent any further changes which may seem likely to prove injurious.

I consider that the first and most obvious necessity is to prevent any further encroachments on the Nebraska shore above the bridge. If this is done, it is probable that the whole bend will move down the stream, and this should be allowed to take place until the channel strikes the line of the bridge at right angles. As soon as this is accomplished, the Iowa shore above the point will have to be held. No estimates for this work can yet be submitted, and, as the work may not be needed for several years, I have confined my estimates to the protection of the Nebraska shore above the bridge.

The report of my assistant, Mr. Boehmer, will give all the facts necessary for a full comprehension of the subject. I have submitted a different plan for the work required because I do not consider it solely a matter of protecting any particular structures on the low ground between the bluffs and the river, but that the problem is more especially the broad one of preventing the river from taking a shape that will throw the channel obliquely across the line of the bridge, and render it impassable for steamboats. I recommend that the revetment already begun by the Union Pacific Railroad Company be extended in both directions about 4,000 feet below and 1,000 feet above their work, using for this purpose fascine mattresses loaded with stone, as has been done under my direction at Saint Joseph, Mo. This work should be done before the next high water, and the whole sum asked for should be appropriated at once, both with a view of reducing the cost of materials and also to prevent the whole work from being lost through incompleteness.

ESTIMATE FOR REVETTING 5,000 LINEAR FEET OF BANK.

5,000 cords brush made into fascine mattresses and placed in position, at $3½ per cord	$17,500 00
20,000 yards rock placed in position, at $3 per yard	60,000 00
Contingencies	2,500 00
Total	80,000 00

I am, general, very respectfully, your obedient servant,
CHAS. R. SUTER,
Major of Engineers.

Brig. Gen. A. A. HUMPHREYS,
Chief of Engineers, U. S. A.

REPORT OF MR. MAX BOEHMER, ASSISTANT ENGINEER.

SAINT LOUIS, MO., *December* 7, 1877.

MAJOR: During the latter part of May, 1877, a survey was made of the Missouri River in the vicinity of Omaha, Nebr., with a view of ascertaining the proper means for preventing an anticipated cut-off through the Iowa point opposite, or else to devise plans intended to ameliorate the dangerous consequences of such occurrence.

My report on this survey, dated June 27, 1877, intends to establish the impracticability both of prevention and amelioration of the danger, and recommends that no action be taken until after the occurrence of the cut-off, and further, that time enough be allowed for the river to partly re-establish its normal regimen.

Shortly after, on the 8th of July, 1877, the cut-off happened, and the river broke through the Iowa point with tremendous force.

A resurvey of the ground was ordered, and the field-work commenced on the 23d of October, 1877. The results of this survey, accompanied by the usual maps, I respectfully submit in the following report.

In breaking through the peninsula the newly formed channel, with greatly increased velocity, threw its entire force straight into the Nebraska shore on a line leading directly toward the Union Pacific Railroad shops. A terrible erosion of the bank at that point was the consequence, and the river had cut into the shore a distance of 1,200 feet, when further inroads were checked by extraordinary efforts under the direction of the Union Pacific Railroad Company. Sand-bags, stone, and brush in large quantities, were thrown into the river at the points most severely attacked, and a strong revetment, 2,000 feet long, constructed. The different data arrived at by the survey show plainly that the river is still in a greatly unsettled condition.

Just below the cut-off, and along the revetment, the river now turns at a radius of only 1,200 feet, and this sharp curve occasions a flat slope of 0.31 foot per mile for some distance above, while further up the river, and below the bridge, a fall reaching 1.10 to 1.30 feet per mile has been found. The current as it leaves the sharp bend spoken of, is still swift entirely beyond its normal velocity, for here the greatest speed found was 5.08 miles per hour at the surface, and 4.35 miles at mid-depth. That such current is abnormally swift is proven by the fact that five months previous, during a stage 7 feet higher, the maximum found was 5.85 miles at the surface, and 5.23 at mid-depth.

The greatest velocity found during a similar stage of low water at Saint Joseph, Mo., was but 2.47 miles per hour. Even the slope of the river for a distance of 14 miles was found in a still unsettled condition. The difference of elevation in the river's surface, between Florence and a point 3 miles below the bridge, has decreased but 0.4 foot, although the distance between these points has been reduced by the cut-off from 18 to 14 miles. Before the change in the river, at a stage 13 feet above low water the mean slope between these points was 0.66 foot per mile; at present, at a stage of 6 feet, it is as much as 0.82 foot per mile. It may safely be asserted that the greater part of this increase is still due to the sudden change of the regimen of the river. A discharge taken at a stage of 6.0 feet gives the following figures:

Average velocity=3.29 feet per second=2.24 miles per hour.
Area of cross-section=5007.6 square feet.
Discharge per second=20178.4 cubic feet.

Concluding by reason of the above figures that the river has not recovered its equilibrium and natural shape in the vicinity of the cut-off, a continuation of the violent action during the last high water may be expected the coming season. Up to this time the Union Pacific revetments have held the river, and will probably continue to

do so, as long as the latter remains in its low stage, even at the very sharp curve 1,200 feet radius. But it is evident that the high waters of next June cannot be turn at such an angle, and it must be expected that the river will force an easier curve a freer passage at this point, not *through* the revetment, perhaps, but either above below it. The point of impact on the Nebraska shore at present, lies a little abo the middle of the revetment.

But this will change as the river rises, and it seems highly probable that during t first part of the flood-season, the west side of the island created by the cut-off will cut away further, and that in consequence the main attack of the channel will directed against the shore above the riprap. But at the same time, and as long the flood lasts, the Iowa point—sharp and narrow as the last high water has left it will be equally exposed and cut away by the current for some distance. This natu action on the Iowa point will be largely increased in power, not only by the resisti force of the ripraps, but also by the bed-rock beneath and beyond the latter.

Such partial destruction of the Iowa point will not only allow but even compel t river to turn sooner, and, at the same time, will furnish room for an easier curve. consequence the channel will strike the Nebraska shore at a point below the ripra and in a line toward the smelting-works. From here the channel will work its w along the Nebraska shore, and remain permanent under the first or second span of t bridge on the west side.

Should this theory prove to be correct, the Union Pacific Railroad shops would main unharmed. But should the river, as seems possible, work its way behind the vetment from above, and keep on in this direction, the point of impact moving stream, even then the Union Pacific shops would be safe from destruction by reason the high elevation of the bed-rock underneath them. The low-water channel c never reach even the extreme eastern parts of the shops, because the bed-rock at t point is but 4.3 feet below low water.

For the same reason the main thread of the current during high water will be h away from this point, since it cannot dig a sufficiently deep channel to create a p manent bed.

Side currents may eventually wash away the earth up to the shops, but against su the banks can be easily held. Only the main channel of the river is to be really fear At the western edge of the shops the bed-rock rises to within 1.6 feet of low-wa mark, a dip of 2.7 feet in 660 feet. For the reasons set forth above, I consider Union Pacific shops exempt from danger, whatever action the river may pursue in next rise. They surely may be considered safe for one season, and I would, therefo recommend that at present only such points be protected as are plainly and clearly danger, since the river, during one year, may change in such a manner as to dictat line of improvement entirely different from that indicated by its present aspect; work may be wasted at points which the river never will touch.

Only the smelting-works and the western approach of the bridge will, in my opini be dangerously exposed to the violent action of the river during the next high wat because both points lie in the line of attack and neither is guarded sufficiently by t bed-rock underneath.

At the toe of the western embankment the bed-rock lies 13 feet below the zero of gauge, and on a straight line from here to a point about 100 feet east of the smelti works the mean depth of the bed-rock (derived from seven soundings) is 12.8 feet low low water.

In giving the elevations of bed-rock below low water, a slope of 0.7 foot per m has been assumed.

It is probable that one season of high water will give sufficient time to carry t channel dangerously close to or even beyond these points, and it is therefore necessa to begin the work as soon as possible, and finish it before the height of the June r inundates the ground.

The protection I would recommend for this purpose consists of two separate rev ments, built of stone only, and located as far back toward the bluffs as possible to ta advantage of the higher elevation of the bed-rock.

These ripraps to be located as shown on the accompanying sketch. No stone co taining less than one cubic foot should be used in their construction. One of these vetments, 800 feet long, to be built at the western approach to the bridge; the oth 1,200 feet long, close to and in front of the smelting-works, and the faces of both exact line with each other, and in line with the projecting point of the bluff, abou mile below the bridge.

To build these ripraps back from the shore, I would propose to dig trenches with slope of 1:1 on the inside and $1\frac{1}{2}$:1 on the outside, and fill them with stone in a ma ner shown by the sketch below.

The stage of the river up to the end of April would allow a depth of 10 feet for the trenches, and make it possible to draw off the water by means of ditching. It is ex pected that the river will work to these ripraps, and, by undermining, cause the ston to tumble in and take its own slope; there is stone enough to form a riprap 3 feet thic

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and reaching down to bed-rock at a slope of 1 : 1. Some repairs and additional stone may be necessary, in places, hereafter; but in the main these ripraps would, I believe, be largely sufficient to hold the bank.

The cost of this work is estimated as follows:

	Cubic yards stone.
3,000 linear feet riprap, at $4.33 per cubic yard	12,990
Subtract 25 per cent. for solid rock measure	3,247
Total	9,743

For the following estimate of earth excavation 1,000 linear feet of trench is allowed for ditching:

4,000 linear feet of trench at 4.63 cubic yards = 18,520 cubic yards earth.

COST.

9,743 cubic yards solid rock (placed), at $3.50	$34,100 50
18,520 cubic yards earth excavation, at 20 cents	3,704 00
	37,804 50
Contingencies	3,795 50
Total cost	41,600 00

According to your instructions, the survey was extended further on the other side of the river, so as to gather all available information and investigate the apprehended danger to the city of Council Bluffs, Iowa. Additional lines were run for that purpose, especially to establish the location of the lake and the line of bluffs above that town. The result shows no immediate danger from any direction whatever.

Quite a large part of Council Bluffs is built on the Missouri River bottom, and is for that reason alone to be considered as standing on dangerous ground, since the river is liable, in its continual changes, to strike any point between the bluffs; but that there is no special or immediate danger to any part of that town, at the present time, is proven by the following facts and figures, viz:

The bluffs above the city protect it to a large extent; the nearest point of the river-bed is still 9,500 feet distant from the Chicago and Northwestern depot on Broadway; the apex of the bend below town is 15,800 feet distant from the same point, and the peninsula, at its narrowest point, is still 23,000 feet, or a little less than 4½ miles wide.

The river may hereafter, possibly, and even probably, work its way into its old bed, the present lake; but even this would not endanger the city, but, on the contrary, would create a more desirable landing, and still leave the river-bed a distance of 7,500 feet from the Northwestern depot.

In addition to all this, the recent formation of the cut-off will draw off the water from above faster, and thereby give the river a tendency to straighten out in that locality. This will lessen the danger of severe encroachments for some years to come, especially since the flood-level has also been lowered by the same agency.

Very respectfully,

MAX BOEHMER,
Assistant Engineer.

Maj. CHARLES R. SUTER,
Corps of Engineers, U. S. A.

LETTER

FROM

THE SECRETARY OF WAR,

IN RELATION TO

The publication of the history of the late war.

JANUARY 21, 1878.—Referred to the Committee on Printing and ordered to be printed.

WAR DEPARTMENT,
Washington City, January 18, 1878.

SIR: I find that, in pursuance of several successive acts of Congress, a large mass of material has been put in type and carefully corrected, covering most, if not all, the history of the late war to the end of the year 1861. On the Union side the reports of battles, arranged by campaigns, chronologically, have been brought down to the end of the year 1862, with a few in 1863. There may be some subreports in this collection that would not be material to the history, and which it would diminish the expense of publishing to omit.

The correspondence part of the records is not yet arranged systematically, and it is probable that much of it will be found unnecessary to publish So with telegrams sent and received, which, moreover, ought to be carefully revised, by the comparison, when practicable, of each important telegram *as it was received* with the original dispatch.

In making a compilation, however, when it would be decided what to omit, great care and judgment must be exercised by a person conversant with military affairs, so that every important link, however small, shall be included.

On the Confederate side, the records have been put in print upon the same plan as the others, and they are now brought down to the end of the year 1861. My judgment is that these should be given entire. From the nature of the case, they are not so voluminous, and never came in complete form into the hands of the government. It would be best to publish them as they are, after systematically arranging them.

All these records are so printed (on sheets not backed) that they can be arranged according to any plan that may be adopted. The work is now under the charge of an Army officer perfectly competent to give it proper shape and hasten it to completion as rapidly as the money appropriated will permit. Only a few copies have been printed, in order to get the material in readable shape and to enable corrections to be made in dates, spelling of names, &c., and to facilitate systematic arrangement.

I beg leave to ask that a committee may be designated to examine the work already done, with a view to determine what steps shall be taken to compile and arrange the material finally for publication. My idea is that, when the question is settled as to the form in which the work is to

be published, and further legislation, if any is necessary, shall authorize it, the officer in charge shall put the work in the proper form as rapidly as possible, and that it shall be submitted, as fast as prepared, to Congress for publication; that Congress shall order for its own use and distribution such number of copies as it may see fit, and shall authorize or direct the Public Printer to strike off a certain number of copies in addition, for sale at, perhaps, a small remunerative price.

I am, sir, very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The PRESIDENT OF THE SENATE.

O

45TH CONGRESS, 2d Session. } SENATE. { Ex. DOC. No. 19.

LETTER

FROM

THE SECRETARY OF WAR,

COMMUNICATING

His views in relation to the bill (S. 165) to reimburse the State of Texas for expenses incurred in repelling invasions of Indians and Mexicans.

JANUARY 22, 1878.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT, *January* 19, 1878.

SIR: The Secretary of War has the honor to transmit to the United States Senate, in accordance with the request of its Committee on Military Affairs, an expression of his views in regard to Senate bill 165, to reimburse the State of Texas for expenses incurred by said State in repelling invasions of Indians and Mexicans.

The expenses accrued, it is alleged, on account of payment and support of volunteers or rangers, and the claims of the State for reimbursement of expenditures said to have been made, relate to two periods of time, viz:

First. From November 1, 1854, to January 28, 1861, $509,111.95.

Second. From October 14, 1865, to August 31, 1877, $1,027,375.67.

In connection with these claims or accounts a communication to the Speaker of the House of Representatives December 26, 1876, stated:

This department possesses no evidence concerning the accounts of the State of Texas, further than the statements on two abstracts which are for $1,536,487.62, and which were received from the committee, and except accounts for $223,143.89. The latter were examined at this department in the year 1872, and they were reported upon in full, as appears in House Executive Document No. 277, second session Forty-second Congress.

(See House Executive Document No. 14, second session Forty-fourth Congress.)

The aggregate amount of these claims appears to be included in the provisions of Senate bill 165, which refers to an act of July 27, 1861, entitled "An act to indemnify the States for expenses incurred by them in defense of the United States."

In regard to this act certain rules were established by the Treasury and this department in 1861; one rule being:

II. It is only for expenditures on account of troops, officers, or men that have been or may be mustered and received into, or actually employed in, the service of the United States, that reimbursements will be made. Organizations raised, or attempted to be raised, but not mustered and received into, nor actually employed in, the service will not be recognized. Nor will any reimbursements be made by the United States of expenses incurred in organizing, equipping, and maintaining troops for State purposes or home-guard, whether called out by State or other local authority, unless such troops were called out and such expenditures incurred at the request or under the authority of the President or the Secretary of War.

This rule substantially expresses the fundamental principle upon which was rested and still rests the fair adjustment of any or all claims against the United States for military expenses. The operation of this principle has left some expenditures of the State of Texas in question since 1854, and prompted the suggestion relative to her claims examined in 1872, stating that out of $223,143.89 then considered, not more than $20,225.35 should be allowed. (See page 66 House Ex. Doc. 277 second session Forty-second Congress.)

This principle also enters largely into the views relative to these claims expressed by the Adjutant-General of the Army in a report dated April 9, 1872 (copy herewith), and in a statement from the General of the Army, under date of December 5, 1877, indorsed on that report, all concerning the subject-matter of the bill herewith, and all worthy of more extended attention than can be herein given to them.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The PRESIDENT *of the United States Senate.*

Schedule of accompanying papers.

Letter from Secretary of War to General Grant, dated October 11, 1866.

Letter from governor of Texas to Secretary of War, dated September 29, 1866.

Telegram from governor of Texas to the President, dated September 26, 1866.

Telegram from Secretary of War to governor of Texas, dated September 28, 1866.

Letter from General Sheridan to General Grant, dated October 3, 1866.

Telegram from governor of Texas to General Sheridan, dated September 26, 1866.

Letter from General Sheridan to General Rawlins, dated November 11, 1866.

Letter from Major Forsyth to General Sherman, dated November 2, 1866.

Telegram from General Sheridan to Governor of Texas, dated November 11, 1866.

Report of the Adjutant-General, dated April 9, 1872.

Indorsement of General of the Army on report of the Adjutant-General, dated December 5, 1877.

Executive Document No. 277, House of Representatives, Forty-second Congress, second session.

Executive Document No. 14, House of Representatives, Forty-fourth Congress, second session.

WAR DEPARTMENT,
Washington City, October 11, 1866.

GENERAL: I inclose to you for your consideration and such action as you deem proper a communication, dated Austin, September 29, 1866, addressed to this department by J. W. Throckmorton, governor of Texas, in relation to Indian outrages committed in that State, accompanied by

a copy of an act of the legislature of Texas providing for raising troops for defense, together with sundry newspaper extracts and a statement of the Hon. Mr. Black, a member of the legislature, all of which are referred to in the governor's communication.

A telegram from Governor Throckmorton, dated the 20th of September, addressed to the President, and the answer thereto relating to the same subject, are also herewith submitted.

The papers above mentioned have been laid before the President, and considered by him in connection with the report of Major-General Sheridan to you, dated at Headquarters, New Orleans, October 3, 1866, inclosing a telegram to him from Governor Throckmorton, dated September 26, 1866, and your telegraphic reply addressed to General Sheridan, dated October 8, 1866.

The representations of Governor Throckmorton, and the statements that he transmits, deeply impress the President with the obligation and necessity of affording relief and protection to the people of Texas from Indian outrages to the utmost extent within the power of the Federal Government; and he is of opinion that, if troops stationed in the interior can be advantageously employed for that purpose on the frontier, it should be promptly done.

He desires, therefore, that you take such proper measures and give such instructions as may verify the actual condition of affairs in Texas, and afford immediate and adequate protection to the people on the frontier of Texas. If this protection can be afforded by the regular military forces of the United States, he deems it preferable to calling out and organizing a local military force.

With this expression of his wishes the subject is referred to you for the prompt investigation and action which the urgency of the case seems to require.

Your obedient servant,

EDWIN M. STANTON,
Secretary of War.

General GRANT.

STATE OF TEXAS, EXECUTIVE DEPARTMENT,
Austin, September 29, 1866.

SIR: Accompanying this communication I forward for your information an act of the legislature of this State which requires me to call into the service one thousand mounted men for the defense of the frontier against the attacks of numerous bands of Indians, now waging a deadly warfare against our people. The sixth section of this act requires that I shall tender the service of these troops to the general government. In obedience thereto I make the tender, and trust the authorities will accept the service of this command, or part thereof, for such length of time as may be deemed advisable. The frontier is suffering great devastation; murder, rapine, and the most revolting outrages, are of daily occurrence.

Unless the government will send efficient and immediate protection the State will be compelled to undertake it, without a dollar in the State treasury to defray the necessary expenditures.

The troops stationed in the interior of the State are of no service whatever. The laws can be enforced and every class of our population be protected in all their rights, without the aid of the military, and I most respectfully ask that the troops be withdrawn.

I have corresponded fully with General Sheridan upon all the ques-

tions herein referred to, and also furnished him a copy of the act herein inclosed.

I also forward you memoranda of Indian depredations that have occurred within the last few months. The statements herein are only partial accounts, and by no means constitute the half of what has actually occurred within the last twelve months.

I respectfully request that you will make these facts known to the President, in order that he may be fully advised as to the condition of our State.

Very respectfully, your obedient servant,

J. W. THROCKMORTON,
Governor of the State of Texas.

Hon. E. M. STANTON,
Secretary of War, Washington D. C..

AN ACT to provide for the protection of the frontier of the State of Texas.

SECTION 1. *Be it enacted by the legislature of the State of Texas*, That there be raised three battalions of Texas rangers, for the protection of the northern and western frontier of the State of Texas, to consist of ten companies, giving to two battalions three, and to one battalion four companies, to be raised as hereinafter prescribed; and to consist of one captain, two lieutenants, four sergeants, four corporals, one bugler, one farrier, and eighty-seven privates each. The field and staff officers to consist of one colonel, one lieutenant-colonel, and one major; one assistant adjutant-general with the rank of captain, one adjutant with the rank of first lieutenant, one assistant quartermaster and commissary with the rank of captain, and two assistant quartermasters and commissaries with the rank of first lieutenant, one surgeon, with the rank of major, and three assistant surgeons with the rank of captain, entitled to pay as follows, to wit: The colonel shall receive two hundred dollars per month; lieutenant-colonel, one hundred and fifty dollars per month; the major, one hundred and forty dollars per month; captains, one hundred and twenty-five dollars per month; lieutenants, ninety dollars per month; first sergeants, thirty-eight dollars per month; sergeants, thirty-four dollars per month; corporals, buglers, and farriers, thirty-three dollars per month, and privates thirty dollars per month: *Provided*, The pay of all officers and men shall be in currency; and further, that the pay herein provided for shall be full compensation in lieu of all other pay and commutation for clothing for officers and men.

SEC. 2. Said men shall furnish themselves with horses, arms, and accouterments, and shall be furnished with ammunition, and shall be enlisted twelve months, unless sooner discharged.

SEC. 3. The requisite number of men for said battalion shall be raised, if possible, in the counties of Denton, Cook, Montague, Clay, Jack, Wise, Young, Parker, Tarrant, Palo Pinto, Johnson, Hill, Erath, Bosque, Comanche, Hamilton, Coryell, Lampasas, Brown, San Saba, McCulloch, Mason, Menard, Llano, Williamson, Burnet, Blanco, Comal, Kendall, Gillespie, Kerr, Bandera, Uvalde, Frio, Medina, Atascosa, and such other counties as border on the above list of counties: *Provided*, That the governor may receive of said regiment from other counties not specified.

SEC. 4. That the governor be authorized immediately after the passage of this act, to commission competent persons, one for every com-

pany, to enroll the number of men for a company, and when at least sixty-four men shall have been enrolled they shall organize by holding an election for company officers, and the captain elected shall return a muster-roll, and such other reports as may be required by the governor, to the adjutant-general's department, and hold his company in readiness to take the field in obedience to orders from the governor or superior officer.

SEC. 5. The governor shall have power to appoint the field and staff officers, together with all disbursing officers of each battalion, and shall have power to remove from office any of the field or staff officers for neglect of duty, incompetency, or disobedience of orders, and furloughs and leaves of absence shall be granted under rules and regulations prescribed by him.

SEC. 6. The troops raised under and by virtue of this act shall be governed by the rules and regulations of the Army of the United States, but shall always be subject to the authority of the State of Texas for frontier service, and shall not be removed beyond the limits of the State of Texas, except for the purpose of following and chastising marauding bands of Indians wherever found; and it shall be the duty of the governor to forward a copy of this act to the Secretary of War, urging the acceptance of said battalions for frontier protection.

SEC. 7. That no portion of said troops shall become a charge against the State of Texas until organized as required by the fourth section of this act and placed under orders.

SEC. 8. The quartermaster and commissary of said regiment be authorized under instructions from the governor to contract for the following transportation of the regiment, viz, one six-mule team and wagon, together with such number of animals and accouterments as the colonel, with the governor's approval, may require for each battalion as transportation for the troops, and one two-horse wagon and two mules for the field and staff of each battalion. The supplies are to be delivered by contractors at the place designated by the commanding officer, who shall give information to the quartermaster and commissary at what point and at what time the supplies must be delivered; and all supplies purchased by the quartermaster must be of good quality, and his accounts or certificates shall be examined and allowed by the commanding officer in the field before the same shall become binding as a claim against the State; provided that the office of assistant-quartermaster and commissary, within the meaning of this act, as but one officer, and is to be held but by one person.

SEC. 9. That the governor shall have power to disband said battalions, or any portion of them, whenever, in his judgment, their services may no longer be necessary for frontier protection, and may thereafter call into service and reorganize such companies and battalions whenever the condition of the frontier may require it, provided it shall not be for a longer period than twelve months, and should the same not be accepted by the United States Government under the provisions of this act.

SEC. 10. The present legislature shall make all necessary appropriations, and provide means to enable the executive of this State to carry out the provisions of this act.

SEC. 11. That the acts to provide for the protection of the frontier, passed February 7, 1861, and December 24, 1861, be, and the same are hereby, repealed.

SEC. 12. This act to take effect and be in force from and after its passage.

STATE DEPARTMENT,
Austin, Tex., September 27, 1866.

I, John A. Green, secretary of state, hereby certify that the above and foregoing is a copy of the original which has passed the legislature and received the approval of the governor on 21st September, 1866, and now on file in my office.

In testimony whereof I have caused the seal of this department to be affixed the date herein above written.

[STATE SEAL.] JOHN A. GREEN,
Secretary of State.

STATE OF TEXAS, EXECUTIVE DEPARTMENT,
Austin, September 25, 1866.

A statement now on file in this office, from Hon. Mr. Black, a member of the legislature from Uvalde County, shows that since May, 1865, ten persons have been murdered and three carried into captivity in that county. Five Mexicans in Kinney and three in Maverick and four in Webb County have been murdered. In the last-named counties the perpetrators were Kickapoo Indians.

J. W. LANE,
Private Secretary.

P. S.—About 15th September instant, Enoch Jones and son and two freedmen, while cutting hay in Jack County for the government, were murdered by the Indians.

J. W. L.

[Telegram.]

Received 10.20 a. m. 27th.

AUSTIN, TEX., *September* 26, 1866.

President JOHNSON:

Our frontiers are rapidly depopulating from Indian depredations. I am requested by the legislature, unless immediate assistance is afforded by the government, to call out one thousand men for its defense. I am authorized to place this force under the control and at the disposition of the general government for such time as may be required. They can be put on the line of operation in three weeks. I have informed General Sheridan of the distressed condition of the frontier people.

Very respectfully, your obedient servant,

J. W. THROCKMORTON,
Governor of Texas.

[Telegram.]

WAR DEPARTMENT,
Washington City, September 28, 1866.

Governor THROCKMORTON,
Austin, Tex.:

Your telegram of the 26th instant has been referred by the President to this department.

Major-General Sheridan, commanding the military division of which

Texas forms a part, is now on a visit to that State, and upon his report being received the action of the government on your request for troops will be communicated to you. In the mean time it would be well for you to confer with General Sheridan on the subject.

E. M. STANTON,
Secretary of War.

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, La., October 3, 1866.

GENERAL: I have the honor to forward the inclosed telegram from Governor Throckmorton of Texas.

I have no reason to believe that there is any necessity for these volunteers, except the reports found in the Texas newspapers, and the representations of Governor Throckmorton.

There has not been a single military commander in Texas who has reported Indian difficulties, except in the case of a few Kickapoos, who came over on our side of the Rio Grande two or three times, and in parties not numbering more than five or six.

So far as my judgment is concerned it is opposed to the acceptance of these troops, and I have been led to believe from what I have heard or seen, that the mainspring of the whole movement is to get the United States troops from the interior of the State. There is no one who would hail such an event with greater pleasure than myself, but so long as the government pursues its present policy. I would not advise their removal until there is a practical illustration of a better sentiment among the people of Texas.

I have, indirectly, been contending with the governor of Louisiana to prevent him from raising troops in this State for the alleged purpose of protecting Union people (but most probably for other and more selfish motives), but if the governor of Texas can call out troops, the governor of Louisiana has the same right; and there will be this strange anomaly:

The troops raised in Texas would be of the element which fought against the government; those in Louisiana of the element which fought for it; and so it goes.

I have sent the Fourth Cavalry to the region of alleged Indian troubles.

General Wright informed me that Governor Throckmorton was going to make a great effort to remove the troops from the interior of Texas. This may be a part of the programme.

I am, general, very respectfully, your obedient servant,

P. H. SHERIDAN,
Major-General United States Army.

Official:
GEO. K. LEET,
Assistant Adjutant-General.

General U. S. GRANT,
Commanding Armies United States, Washington, D. C.

[Telegram.]

By telegraph from Austin September 26, 1866. Received at New Orleans September 26, 1866.

General SHERIDAN, *Commanding, &c.:*

The legislature requests me to call out one thousand mounted men to defend the frontier, unless immediate relief is offered by the government.

If their services are accepted by the federal government they are at the disposal and service of the federal authorities for such term as they may desire. They can be put in the field and supplied in three weeks from the order.

Necessity requires prompt action.

Very respectfully,

J. W. THROCKMORTON,
Governor of Texas.

Official:
P. H. SHERIDAN,
Major-General.

Official:
GEO. K. LEET,
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, La., November 11, 1866.

GENERAL: I have the honor to forward, for the information of the General-in-Chief, the inclosed copy of a letter from Maj. G. A. Forsyth, whom I sent on special duty to the frontier of Texas.

This truthful letter shows clearly how cautious we should be in believing newspaper-accounts of Indian difficulties or the exaggerated accounts of interested civil officials.

I also inclose a copy of my last telegram to Governor Throckmorton.

I am, general, very respectfully, your obedient servant,

P. H. SHERIDAN,
Major-General United States Army.

Bvt. Maj. Gen. J. A. RAWLINS,
Chief of Staff, Washington, D. C.

Personal.] WACO, TEX., *November* 2, 1866.

DEAR GENERAL: I arrived here this afternoon, and start to-morrow for Jacksborough, one hundred and twenty miles further up the country. Thus far I have not been able to get any accurate information in regard to the Indian depredations, but I am convinced that many of the people who are moving in from the frontier are doing it to better their condition, and not from any fear they may have of the Indians; for, instead of stopping in the first well-settled and perfectly safe counties they come to, they are moving down towards the central portion of the State, within reaching distance of the railroad, so that they may be sure of a market for what they produce.

Governor Throckmorton, in his conversation with me, did not afford me any opportunity to say anything in regard to his raising troops for the defense of the State border, merely alluding to a certain line on the map as designating those counties in which the legislature had authorized the raising of a regiment, and continuing the conversation, without pausing, in relation to the establishment of posts on the Red River frontier.

I have only seen one individual who favors the raising of these troops, and he was a Confederate colonel, in rebel uniform. If the United States Government does not guarantee the payment of these troops, I doubt Governor Throckmorton's ability to raise anything but the officers; still, times are hard on the Texan frontier, and men may be found who are willing to enlist. I inclose a slip cut from the Waco Weekly Register, which shows that Governor Throckmorton wants to raise the troops, *if he can*. The *fact* is that these people are disloyal, and the sight of a blue uniform worries them badly; and then another great point is that, unless the Army is on the frontier, the border counties *have no market* for what they raise, and unless the troops are sent there they will not be able to accumulate anything. There is no doubt but that the Indians have committed outrages, but not by any means to the extent that certain interested parties would like the United States Government to believe.

If this border regiment is raised ex-rebels will be the officers, and eventually the State of Texas will call on the government to refund the amount expended in raising, equipping, and supporting it.

The cotton crop in this county averages a bale to the acre, and is by far the largest ever raised.

The freedmen are working well, but they will not be able to gather all the crop, it is so much larger than anticipated. Brevet Lieutenant-Colonel Evans has his company in a splendid state of discipline, but needs 33 more horses to mount his recruits. Money should be sent here to take up the vouchers issued by the Quartermaster's Department. The people hold $4,000 worth of them, and there has been no money since June last.

Very truly, yours,

GEO. A. FORSYTH.

Maj. Gen. P. H. SHERIDAN,
United States Army.

I will write again from Jacksborough, but you will please consider all communications as personal until I can make a final report. I shall be gone at least six weeks longer, and you will probably need what information I can send you while *en route*.

F.

VOLUNTEERS WANTED FOR FRONTIER PROTECTION.

As I have received an appointment to enroll a company of 100 men from his excellency J. W. Throckmorton for this service, I hereby invite all able-bodied men wishing to volunteer to meet at Stephensville, Erath County, on the 1st day of November, for the purpose of organizing the company by electing company officers. Each man will be required to

furnish himself suitable arms and good horse, his arms to consist at least of a good gun and six-shooter.

For further particulars refer to act of the present legislature providing for frontier defense.

October 13, 1866.

J. B. BARR, JR.,
Captain pro tem.

NOTE.—Rebel lieutenant-colonel.

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, November 11, 1866.

Official.

J. SCHUYLER CROSBY,
Brevet Major, United States Army, Aid de-Camp.

[Telegram.]

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, La., November 11, 1866.

GOVERNOR: I see by an advertisement in the Waco Valley Register of October 13, 1866, that you have authorized the calling out of troops under the provisions of the act of the legislature of Texas.

Now, as I have ordered to the frontier double the number of men the legislature thought necessary, I cannot see any good excuse for the employment of this volunteer force.

P. H. SHERIDAN,
Major-General, United States Army.

His Excellency J. W. THROCKMORTON,
Governor of Texas, Austin, Tex.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
April 9, 1872.

Respectfully returned to the Secretary of War. An act of the State legislature of Texas, approved June 13, 1870, authorized the governor of the State to raise and muster into service twenty companies of rangers for frontier twelve months' service, provisions, ammunition, and arms to be furnished by the State; clothing, horses, &c., by the individual troops, always to remain subject to the authority and orders of the governor of Texas, and to be paid by the State. (See bill herewith.)

July 19, 1870.—The Secretary of War instructed the Adjutant-General that the State of Texas would not be permitted to make war upon the Indians, but that the United States military authorities would preserve the peace.

July 27, 1870.—The Adjutant-General instructed Colonel Reynolds, commanding Department of Texas, as to the wishes of the Secretary of War.

August 5, 1870.—Colonel Reynolds furnished governor of Texas with a copy of the said instructions.

August 8, 1870.—The governor informed Colonel Reynolds that the State troops being organized under the act would be placed at the disposal of the War Department to co-operate with United States troops, and that he (the governor) would ration and forage them.

August 15, 1870.—Colonel Reynolds, in forwarding the communication of the governor, remarked that the circular, copy herewith, approved by the War Department June 20, 1868, provided them with subsistence from the supplies of the United States posts near which they might rendezvous. The governor's letter, &c., were submitted to the Secretary of War by the Adjutant-General, September 3, 1870, with the remark that, "a demand will certainly be made in the future for reimbursement of expenses and pay of the volunteers by the United States Government," for which reason, and to prevent the possibility of future claims, the Secretary, September 22, 1870, directed that Colonel Reynolds be instructed (as in previous orders) that the civil authorities of the State of Texas would not be permitted to make war on the Indians. Colonel Reynolds was so informed by letter, dated September 24, 1870 (herewith).

September 7, 1870.—The commanding officer of one of these ranger companies was instructed by Colonel Reynolds to proceed with his company to the vicinity of Old Camp Colorado, Texas, and to draw subsitence from the commanding officer of United States troops at Fort Concho, Texas, and stating that the chief commissary of subsistence, Department of Texas, would furnish detail instructions.

September 13, 1870.—The commissary referred to forwarded to the Commissary-General of Subsistence United States Army the correspondence, &c., relative to the supplying of these troops, and remarked that the troops were now drawing rations from the United States, by direction of Colonel Reynolds, commanding department. The chief commissary of subsistence, Military Division of South, in forwarding the papers, remarked that the "issue of rations to Texas volunteers was not authorized by the major-general commanding the division."

September 27, 1870.—The Commissary-General of Subsistence United States Army referred the papers to this office, and remarked that the appropriation for the subsistence for the Army for the current year would not probably bear the heavy expense of subsisting the Texas volunteers, if to be long continued, and especially invited attention to the sixth section of the act calling out these troops, wherein it is specifically provided that said rangers were to be furnished with provisions at the expense of the State.

Upon an examination of the whole case, the Secretary of War, under date October 18, 1870, directed as follows: "Memoranda.—General Reynolds to be informed that he is not to subsist or pay the Texas troops. Direct him to notify governor of Texas accordingly; and that no claim for payment for their services, or for subsistence, or any other account, would be recognized."

The facts connected with this subsistence question are as follows:

September 17, 1870.—By Special Orders No. 113, Headquarters Department of Texas, the Texan troops were authorized to be furnished subsistence, &c.

October 6, 1870.—Colonel Reynolds was telegraphed to revoke said order, which was accordingly done October 7, 1870, by Special Orders No. 128, Headquarters Department of Texas.

October 8, 1870.—Governor Davis telegraphed the Adjutant-General United States Army requesting that subsistence to the State troops be continued, notwithstanding Special Orders No. 128 referred to, and stated that, if subsistence would be furnished, the State would refund all expenses incurred by the United States.

October 12, 1870.—Governor Davis was telegraphed that his dispatch was submitted to the Secretary of War and the President, and that it

was decided that rations could not be issued. On the same day Colonel Reynolds was notified of this action.

October 13, 1870.—Colonel Reynolds telegraphed the Adjutant-General United States Army that he "just had interview with Governor Davis; he has received your telegram of yesterday"; and stated that the governor desired to know whether the State troops now in the field would be permitted to remain, the State supplying them in all respects, without any expense to the United States.

October 19, 1870.—Colonel Reynolds was telegraphed (in answer to preceding telegram) not to subsist or pay troops, and to notify governor of Texas accordingly; also, that no claim for payment for their services, or for subsistence, or on any other account, would be recognized.

October 29, 1870.—Acknowledged the receipt of this, and stated that the instructions therein were fully carried out on the 7th instant, and that he had notified Governor Davis of the decision of the War Department.

No further correspondence appears in the case.

From the foregoing, it will be seen that these rangers were not only refused recognition by the War Department, but were positively prohibited from carrying out the provisions for which raised; this, in connection with the fact that from the initial the United States authorities declared that neither pay, subsistence, nor any other emolument or supply would be furnished the force, and the declarations of the State authorities that the United States would not be called upon to bear any expense whatever in the support of said force; and, finally, that no service appears or is claimed to have been rendered by it.

It is submitted that Congress should not encourage claims of this kind. If encouraged, constant claims will result from governors of States and Territories calling out troops without authority from the President, and in the face of the War-Department notification that the troops will not be recognized. Such was the case with the Montana militia, for which claims are now pending, and such will ever be the case if precedent be established or continued.

The President is by law the judge of the necessity, and if he declines to yield to requests to call out militia or volunteers, the matter should there rest.

E. D. TOWNSEND,
Adjutant-General.

HEADQUARTERS OF THE ARMY,
Washington, D. C., December 5, 1877.

I have examined Senate bill 165, Forty-fifth Congress, first session, and deem it simply monstrous.

The Texas Rangers, so called, have been a source of danger to the United States, rather than assistance, in the matter of frontier defense.

By the within report it is seen that the governor of Texas himself disclaims any purpose of construing this force as in the service of the United States. At no single instant of time has it been construed as a part of the military force on the border of Texas; never has been "mustered"; but, on the contrary, Congress has all the time been cutting down the strength of the Regular Army in the interest of economy. If Texas may add $1,700,000 to the military expenses for the alleged inadequate protection, other States and Territories will swell it to a hundred millions.

W. T. SHERMAN,
General.

[House Ex. Doc. No. 277. 42d Congress, 2d session.]

Letter from the Secretary of War, transmitting a report concerning the history and character of certain claims of the State of Texas.

WAR DEPARTMENT, *April* 30, 1872.

The Secretary of War has the honor to transmit to the House of Representatives, in accordance with the request of its Subcommittee on Appropriations, a report concerning the history and character of certain claims of the State of Texas.

WM. W. BELKNAP,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., April 27, 1872.

SIR: In compliance with verbal instructions received from you, I have carefully examined all the evidence found concerning the history and character of certain claims of the State of Texas against the United States, and as the result of that examination I have the honor to respectfully submit the following report:

The claims are for reimbursement of expenditures alleged to have been made for the payment and support of volunteers, or rangers, prior to the rebellion.

The troops, it is asserted, were temporarily employed at various dates, between November 1, 1854, and some time in September, 1860, for the purpose of suppressing Indian hostilities on the frontiers of Texas.

The evidence bearing upon this case is interspersed through many printed public documents, and, in addition to what is contained in them, it forms many pages of manuscript (copies annexed) heretofore unfolded in any public print.

The merits of the claims may be the better understood, at this late date, by bestowing a glance at the condition of affairs which may have rendered it necessary, from time to time, to employ Texan rangers, or volunteers, within that State.

Turning to the President's message of December 6, 1852, so much of it as relates to Indians in Texas reads:

> Experience has shown, however, that whenever the two races are brought into contact, collisions will inevitably occur. To prevent these collisions the United States have generally set apart portions of their territory for the exclusive occupation of the Indian tribes. A difficulty occurs, however, in the application of this policy to Texas. By the terms of the compact by which that State was admitted into the Union, she retained the ownership of all the vacant lands within her limits. The government of that State, it is understood, has assigned no portion of her territory to the Indians; but, as fast as her settlements advance, lays it off into counties, and proceeds to survey and sell it.
>
> This policy manifestly tends not only to alarm and irritate the Indians, but to compel them to resort to plunder for subsistence. It also deprives this government of that influence and control over them without which no durable peace can ever exist between them and the whites. I trust, therefore, that a due regard for her own interests, apart from considerations of humanity and justice, will induce that State to assign a small portion of her vast domain for the provisional occupancy of the small remnants of tribes within her borders, subject, of course, to her ownership and eventual jurisdiction. If she should fail to do this, the fulfillment of our treaty stipulations with Mexico and our duty to the Indians themselves will, it is feared, become a subject of serious embarrassment to the government. It is hoped, however, that a timely and just provision by Texas may avert this evil. * * *
>
> (See House Executive Document No. 1, second session, Thirty-second Congress.)

Passing to a later date, January 30, 1855, it is found that the Commissioner of Indian Affairs remarked officially as follows;

Texas having retained all her lands and the exclusive jurisdiction over them, it was impossible for the United States to exercise any supervision over the trade and intercourse with her Indians, or the necessary control over the latter, to prevent difficulties between them and the citizens of the State. Under these circumstances it was not in the power of the government to manage our Indian relations there in as efficient a manner as it might otherwise have done. It was, therefore, in a position not to be held responsible for any difficulties or depredations which may have arisen out of such a state of things, which was made known from year to year through the annual reports of this office, and the necessity urged of Texas setting apart a district of country for the location and residence of her Indians, and the cession of sufficient jurisdiction over it to enable the government to manage them and the trade and intercourse of the whites with them in a more efficient and proper manner. It was not until last year that Texas consented to, and made provisions for, such an arrangement. * * *

(See House Reports of Committees No. 151, second session, Thirty-second Congress.)

By an act of Congress approved June 12, 1858, the Secretary of the Interior was directed "to accept and survey the Indian reservation designated by an act of the legislature of the State of Texas approved February 4, 1856, and to appoint an agent for said reservation." (330, Stat. 11.)

Indian troubles in Texas seem to have commenced anew, or were continued, in 1852, as will be seen by reference to a letter (1) * from the Secretary of War to the governor of Texas, explaining responsibilities connected with them.

On account of various conflicts renewed between the people of the State and the Indians in the year 1854, General Persifer F. Smith, then commanding the Department of Texas, was authorized or instructed "to call upon the governor for aid should the exigencies of the service require it in repelling Indian incursions" (2); and he was instructed further: "In such event you will make requisition for such number of mounted men as you may, from time to time, deem necessary, who, while in service, will be supplied with ammunition, forage, and subsistence by the United States (2).

After the issue of said authority, the Secretary of War decided that it applied only to aid required "in repelling Indian incursions and to pursue and punish hostile Indians" (3 and 4).

The various organizations of volunteers on account of which these claims accrued appear to have been employed, as it were, by classes, under certain peculiar circumstances, at different times; they therefore will be classified herein as facts are developed in connection with their services.

CLASS I.

In 1854 six companies of volunteers were called into service by the governor of Texas, and, as State troops, were organized as follows (shown by muster-rolls filed in the Adjutant-General's office):

Company.	Captain.	Aggregate force.	Enrolled.		Mustered in.	
			Where.	When.	Where.	When.
A	G. S. Boggess	87	Tyler	Oct. 16, 1854	Austin	Nov. 2, 1854
B	J. G. Walker	84	Nacogdoches	Oct. 16, 1854	Austin	Nov. 2, 1854
C	W. R. Henry	86	Goliad	Oct. 20, 1854	Austin	Nov. 2, 1854
D	William Fitzhugh	84	McKinney	Oct. 16, 1854	Austin	Nov. 2, 1854
E	C. E. Travis	80	Cameron	Oct. 18, 1854	Austin	Nov. 2, 1854
F	P. H. Rogers	78	Brenham	Oct. 18, 1854	Austin	Nov. 8, 1854

* Figures refer to numbers on papers annexed to this statement.

General Smith issued a call (4) on the 29th July, 1854, but before any troops were raised under it (7) he (12) and the governor (13) were notified that it was not approved at the War Department, because the troops were called for *twelve* months' service. A modification of the authority then ensued; the general reissued the call November 1, 1854, and the adjutant-general of Texas forthwith proceeded to make the musters into State service, as above noted.

Before the troops could properly be held subject to military orders from the general government, however, it was necessary that they should first be formally received into (17) the service of the United States.

That they were so received, for three months' service, there can be no doubt. A tabular statement, prepared from muster-rolls filed in the Adjutant-General's office, exhibits these facts, viz:

Company.	Captain.	Aggregate force.	Enrolled and mustered into United States service.		Mustered out of United States service.	
			Where.	When.	Where.	When.
A	G. S. Boggess	87	San Antonio	Dec. 23, 1854	Fort Chadbourne	Mar. 22, 1855
B	John G. Walker	84	Fort Martin Scott	Dec. 1, 1854	Fort Clark	Mar. 31, 1855
C	William R. Henry	86	San Antonio	Dec. 14, 1854	Fort Clark	Mar. 31, 1855
D	William Fitzhugh	84	San Antonio	Dec. 24, 1854	Fort Chadbourne	Mar. 23, 1855
E	C. E. Travis	80	Fort Martin Scott	Dec. 1, 1854	Fort Clark	Apr. 1, 1855
F	F. H. Rogers	76	San Antonio	Dec. 22, 1854	Fort Chadbourne	Mar. 21, 1855

On the 23d January, 1855, these were believed (16) by the then Secretary of War to be the only troops from the State of Texas that were entitled to pay for services rendered to the United States.

Acting upon that belief, on the 24th January, 1855, a claim submitted on account of the services of three companies of Texas volunteers, called out by the governor in 1852, was not then favorably considered (17), for the reason that the troops were not in the service of the United States. In nearly every instance where volunteer troops have been properly received into said service, the general government has promptly awarded reasonable compensation to them. In this matter there was no delay concerning the above-mentioned six companies of Texas volunteers. Before they were mustered out of service special provisions were made for them in two acts of Congress. (See Stat. 10, pp. 636 and 637.) These companies were furnished with subsistence (99) and all supplies (100) required by them while they were under the command of General Smith, and for the whole time they were properly in the United States service, by muster, they were paid by United States paymasters or by the Second Auditor of the Treasury. April 2, 1855, found the six companies all mustered out, they having been supplied with all necessaries after their last muster-in, and funds were forthcoming from the United States Treasury for the payment of the individual members of the organizations.

For these companies the total appropriated March 3, 1855, was	$162,755 38
Between that date and the 30th June, 1859, the total paid for their services and expenses was	93,612 47
On the last-mentioned date war warrant No. 7 carried to the surplus fund this balance	69,142 91

CLASS II.

Papers herewith show that this department repeatedly (1, 13, and 17) advised the authorities of Texas some years ago of the general rule in relation to expenses irregularly incurred, on account of certain volunteers employed for frontier service or to give settlers a sense of security.

The general rule was and is, in substance, that expenditures made by States or individuals for the support of troops who have not been actually received into the service of the United States will not be reimbursed by the general government, except in extraordinary cases. Any proof of such reception and service is fatally incomplete if unaccompanied with muster-rolls duly prepared and rendered in accordance with law and Army Regulations. In connection with these claims of Texas, muster-rolls of the troops, the six companies excepted, have never been filed in the office of the Adjutant-General of the Army.

The rolls, so called, now submitted with the vouchers, cannot be classed reliable substitutes for such muster-rolls as are usually accepted as evidence of service.

By reference to official correspondence, dated during the first half of the year 1855, copies of the same being hereunto annexed, one may obtain therefrom tangible ideas of the condition of military affairs in the Department of Texas about the time the six companies were discharged. Special reference may be made to General Smith's letter, dated June 2, 1855, in which he stated:

> I have late reports from the whole of the frontier. The efforts of the troops have been successful in driving the Indians entirely out of that part of the State forbidden to them, and the roads on the frontier are traveled with security.
>
> A tribe of Lipans and three bands of Mescaleros have crossed into Mexico. The former are established opposite Laredo and Fort Duncan, and the others in Chihuahua, all under the protection of the respective State governments with whom they have made treaties.
>
> As soon as the rains shall afford water and grass, we may expect them to cross the Rio Grande in marauding parties. (See House Executive Document No. 1, first session Thirty-fourth Congress.)

On the 20th of June, 1855, in writing to General Smith, Governor E. M. Pease inclosed a newspaper slip giving an account of the murder of a citizen and of thefts committed by Indians in a locality where he asserted there were no United States troops; and he requested that a military company might be sent to that locality (24).

From the General's letter (4) of July 29, 1854, it seems he was not inclined to credit newspaper reports concerning operations in his department, and this may account for the absence of an immediate reply to the foregoing. Any how, the governor did not long remain silent or inactive, as appears from his letter of July 5, 1855, to J. H. Callahan, who, by it, was authorized to raise a company of mounted men to serve three months (25).

Again, on the 25th, he wrote (27) to certain citizens, and from the communication it is learned that he had received a letter* from General Smith, dated the 15th instant, in which the general said he would send a party of mounted riflemen to the neighborhood where the recent depredations were committed as soon as Major Simonson returned from certain duties. In this same letter the governor stated that if the company (Callahan's) already called out "did not prove sufficient to give security to settlers," he would "not hesitate to call out other volunteers."

From the remark concerning "security to settlers," it might be in-

* No copy found.

ferred that the War Department letter (13) of August 29, 1854, was not particularly heeded by the governor, or that he did not really expect the general government to recognize and pay for the services of Callahan's company. On the 5th of September, 1855, his excellency was at San Antonio, where he hoped but failed to see General Smith in regard to certain Indian depredations. There he wrote (29) to the department commander concerning military projects, and concluded by calling attention to the good which had resulted from the employment of Callahan's company; by dwelling upon the embarrassing position of the executive of the State, and by expressing distrust in relation to the propriety of employing volunteers. During this same month he also wrote several communications (30–36) to various citizens promising he would call out more volunteers if General Smith did not act. No evidence appears in the correspondence to show that the governor actually made any call within the last half of the year 1855, for the organization or service of an additional force.

General Smith was communicating officially with the War Department during the above-mentioned times (26–31), and in no case has it been discovered, from the tenor of his letters, that he recognized any actual necessity for the employment of the Callahan company, or that the latter acted in concert with the government troops. The correspondence (31), however, shows conclusively that in September, 1855, it was expected certain Texans would make a hostile expedition into Mexico (37).

On the night of the 1st or 2d of October, 1855, such an expedition was made, and J. H. Callahan was its commander. A party (38) of about one hundred and ten Texans (52) secretly crossed the Rio Grande, about three miles below Fort Duncan, to the Mexican side. The Texans had a fight with Mexicans and Indians, and were driven back into Piedras Negras, a Mexican village opposite to Fort Duncan. While occupying that village the Texans set fire to it and burned it up; General Smith stated "most wantonly, for it was occupied by a poor class of people generally engaged in cultivation of small plats of ground," &c. (For full particulars see annexed papers, dated in October, 1855.)

The poverty of the said people may now puzzle the public mind, in view of the fact that, at this time, claims amounting to $11,397,988.43, for property alleged to have been destroyed and damages accrued from Callahan's operations at Piedras Negras, are pending before the American and Mexican joint commission at Washington, District of Columbia.

Two other organizations, in addition to the Callahan company, were connected with the raid into Mexico. They were those of Captains N. Benton and W. R. Henry. The latter commanded one of the six companies referred to in class one. On the 14th March, 1855, members of his company had broken open the post-office at D'harris, and pillaged the town; some were discharged for misconduct on the march; the lieutenant, Jackson, was under arrest; and charges were on hand against the captain, for misconduct while drunk (19). On the same day when Captain Burbank was writing his report (38) at Fort Duncan, in relation to the Callahan expedition, the governor was writing (39) at San Antonio to the lieutenant of Callahan's company. One wrote concerning re-enforcements: "If the Texans should persist in crossing (the Rio Grande) acting under the orders of the governor, as they appear to be doing, I have no force sufficient to oppose them, admitting it to be my duty to do so." The other wrote: "Your company will be mustered out at the expiration of three months from the day you were mustered in."

Upon referring to the rolls the following appears:

Commander.	Aggregate force.	Mustered in—	Mustered out—	Lost in Mexico.							
				Horses.	Pack mules.	Saddles.	Bridles.	Six-shooters.	Guns.	Pistols.	Spy-glasses.
J. H. Callahan, captain	88	July 20, 1855	Oct. 19, 1855	24	17	4	4	3	3	1	----
N. Benton, captain	26	Sept. 15, 1855	Oct. 15, 1855	7	----	----	----	5	4	2	----
W. R. Henry, captain	36	Sept. 15, 1855	Oct. 15, 1855	14	----	1	1	1	7	1	1

Callahan's company was mustered out by John D. Pitts, as State mustering officer. Benton's company was mustered into and out of service by J. H. Callahan. Henry's company was mustered into and out of service by J. H. Callahan.

CLASS III.

When the Texans, under Callahan, were on the Mexican side of the Rio Grande, before firing the village, they found themselves apparently under the protection of the United States artillery, at Fort Duncan, Texas (44). Taking undue advantage (50) of this circumstance, they "determined to remain" (52) where they were, and sent persons over to Texas for re-enforcements.

Captain Callahan having discovered, however, that the commanding officer at Duncan would not protect the Texans in the stand they had taken, returned with his forces to San Antonio and the neighboring towns, where, on the 14th of October, 1855, they were "raising men to return and try their fortunes again" (52).

On account of the events on the Rio Grande, a great deal of excitement existed at San Antonio on the 17th of October, 1854, when the Texans were raising "a thousand men" (55). On that date and the day before, General Smith there saw parties ride into town "well armed and mounted, and of a better class of citizens than usually join such expeditions" (55).

On that same date the governor wrote to the general concerning military operations, and suggested that an additional mounted force should at once be called into the field. The governor believed that if he were called upon by the general for such a force, say three companies from the militia of the State, "it would supersede the unauthorized movement of armed men that seemed to be now making in the western part of the State" (54). From the general's reply (57) it is inferred that he did not favorably consider the foregoing application. In writing to this department, the general referred to the correspondence above noted, and stated:

> I have been told by several persons, committees, &c., that if I will only call o[illegible] the few companies of rangers, it will at once employ the most unquiet, and tranquilli[illegible] will alarmed, and thus break up the contemplated enterprise. I refuse absolutely. I [illegible] exert every means I have to avoid any serious difficulty, but I will not buy the [illegible]-ised good conduct of such men as must necessarily enter into many of their co[illegible] at any price (58).

As has heretofore been remarked, nothing appears in the correspondence to show that any other volunteers than the Callahan company were actually called out during the latter half of the year 1855; nor does anything appear to show that General Smith was aware of the existence of any of the governor's organizations of Texas troops, other than the Callahan company, during the said time; yet the State claims

reimbursement for payments made to no less than five companies, in addition to the one above mentioned. Two of the said companies are dealt with in class two, preceding, and three of them appear in this class (three), as follows:

Captain.	Aggregate force.	Employed.	
		From—	To—
William Tom	88	October 18, 1855	*November 15, 1855
W. G. Tobin	28	October 12, 1855	November 15, 1855
Levi English	56	August 6, 1855	November —, 1855

* Day fixed for rendezvous (58) of the thousand (55) men who were to invade Mexico. The project became a failure.

The heading on Captain Tom's company roll refers to an "advisory letter from the adjutant-general of Texas," on the 17th October, 1855, but a copy of the letter is not found (61).

William Tom's company was raised, it is asserted, at San Antonio, and it was supported by a vigilance committee (61). He figured in class one as second lieutenant of Henry's company; next, in class two (losing his gun and a pack-horse in Mexico), as a private of Callahan's company (discharged October 19, 1855), and now in this class (three) as captain on the 18th October, 1855, or one day before he was discharged from Callahan's company. The signatures on the vouchers filed fix his identity as one and the same individual in connection with the above facts.

Captain Tom certifies that he mustered his company out of service on the 16th November, 1855, under the instructions of Capt. H. E. McCulloch (60½). William G. Tobin's company, it is certified on the vouchers, was raised and organized at San Antonio. The captain classed his muster-roll as a report, "commencing on the 12th day of October, 1855, and ending on the 15th day of November, 1855." He swears that, to the best of his knowledge and belief, the men of his company were actively employed in the military service of the State during the above-mentioned time (61). Powers of attorney, several in number, filed with the vouchers, give a slight explanation of one of the purposes for which this company was organized by stating it was to operate against the "Texas Indians."

Levi English's Company.—Concerning this a certificate, under date of December 1, 1855, states that a list therewith contains the names of men who were under English's command and did active service from August 6 until November 13, 1855. To this certificate the name of Levi English appears as having been signed by a bold hand. Papers of a subsequent date show that the captain made his cross-mark in 1856 instead of signing his name. He, or a person of the same name, still lived in July, 1861, and at that time made his cross-mark to an affidavit setting forth as follows:

"That the members of said (English's) company received pay for one month's service from the 6th day of August, 1855, to the 5th day of September, 1855, inclusive, from the treasurer of the State of Texas"; and "that said company was actively employed in the military service of said State for the time herein specified, and was subsequently disbanded, there being no mustering officer, therefore no muster-out roll."

The captain made a power of attorney (139) November 11, 1855, and in so doing swore that his company served against the "Texas Indians." This statement is confirmed by powers of attorney made by his men.

In a message to the State legislature, January 3, 1856, the governor stated that "these companies were voluntarily organized and supported by the citizens of the frontier for their defense." * * *

"I think it but an act of justice that they should receive from the State a reasonable compensation for their services and expenses" (65).

CLASS IV.

"The action of those parties" who were so much excited on the 17th of October, 1855, seems to have been delayed, as General Smith expected it would be, and the citizens thought "better of the matter and abandoned the expedition," once intended to follow the Callahan affair (55).

From the claims submitted in this case, it does not appear that any volunteers or rangers were employed in Texas after November 15, 1855, until some time in the early part of the year 1856.

The magnitude of claims for past services of State troops now began to appear in legislative acts (137): One of December 17, 1855, to pay Callahan's party; one of January 14, 1856, for additional pay to the six companies called out by General Smith; and one of a subsequent date to pay the companies of Tom, Tobin, and English; the total appropriated being $87,944.51. J. H. Callahan, it appears (64), settled his accounts with the State during the winter months, and, on the 12th of March, 1856, he, with R. W. Johnson and others, wrote to the governor that unless there shall be "something done immediately for the protection of citizens residing on the Upper Blanco, Guadalupe, and Curry's Creek, and Perdinales, they will be compelled to give up their homes" (69). The reply, of March 31, 1856, from the governor, contains the following: "I have not been unmindful of your exposed condition, and some time since requested* the commanding general of this department to have mounted troops sent to your vicinity for its protection, but I have heard nothing from him in reply (69.) This letter, in substance, then advised the citizens to have a mutual understanding with each other, so as to organize a company of minute-men; and, at the conclusion, it stated: "I intend you shall endeavor by this plan to give yourselves protection against the Indians who may come to the vicinity of your settlements." In the body of the letter the governor wrote: "I shall take pleasure in urging the legislature to make a suitable compensation for the service of those who may be employed, and to pay reasonable expenses that may be incurred."

Concerning these minute-men nothing further appears to have been done officially until August 4, 1856, when the governor, by special message, was "urging the legislature to make suitable compensation" to three companies of minute-men, one being that which he advised the citizens to raise, and the others his message historically mentions (73). Upon referring to the lists, or so-called rolls, of these companies, the dates of service and number of men appear as follows:

Captain.	Aggregate force.	Time of service. From—	Time of service. To—
J. W. Sansom	14	*Apr. 16, 1856 †Apr. 19, 1856	July 16, 1856
J. M. Davenport	37	Mar. 13, 1856	June 1, 1857
R. W. Black	30	Jan. 1, 1856	Dec. 31, 1856

* Governor's certificate in January, 1861. † Mustering officer's certificate.

* No request subsequent to October 17, 1855, appears in evidence.

Further evidence concerning the two companies last mentioned appears in papers herewith (125, 126), from which it seems that Davenport himself disbanded his company and that Black's company was voluntarily disbanded.

CLASS V.

In September, 1857, the commanding general of the Department of Texas advised the Secretary of War that a "rumored expedition" was preparing in the western part of Texas for the invasion of Mexican territory (75).

The War Department at once authorized the general to prevent, by all means in his power, the consummation of any such design (75).

On the 3d November, 1857, the governor wrote to Messrs. G. M. Bryan and John H. Reagan, who were then Representatives in Congress, that the force assigned to the Texas frontier was inadequate to its protection and that there was a pressing necessity for a regiment of volunteers to be there employed. To verify the correctness of his statement he reported:

> Within the last few months the mail train from San Antonio to El Paso was attacked and robbed of its animals, and I have now before me a communication just received from a large number of citizens residing on the waters of the San Saba and Upper Colorado Rivers, stating that the Indians have recently made several incursions into these settlements, and stolen and carried off near three hundred horses (76).

On the 23d November, 1857, the governor issued letters which authorized in substance the following (77): Thomas K. Carmack to enroll a company of twenty mounted men, in the counties of Earth and Palo Pinto; John H. Conner to enroll a company of thirty mounted men in the counties of Brown and San Saba; and Neill Robinson to raise a company of twenty mounted men in the settlements on the waters of the Upper Blanco and Guadalupe Rivers. On the 7th December, 1857, the governor authorized (80) Thomas C. Frost to enroll a company of twenty mounted men in the counties of Coryell and Comanche.

Each of the above-mentioned companies was to serve three months; its members to be paid by the State, at the same rates as were allowed to volunteers during the Mexican war, and its lieutenant was to be elected; and then follow written instructions, which were in substance (78):

> You will keep the whole or such portion of your company as you may consider necessary in active service, at such point or points upon the frontier [in the vicinity where raised] as will best enable them to give protection to the inhabitants against the incursions of hostile Indians.
>
> It is not intended that you shall keep the whole or any part of your company in active service any longer at one time than there shall be an actual necessity for them, but that you shall from time to time keep only such number actively employed as will give security and confidence to the settlements you are designed to protect, so as to make the three months of service extend over as long a period of time as possible.

The instructions also warned the lieutenants to exercise extreme caution, so as not to give offense to friendly tribes of Indians, especially those on the reservations, and concluded by pointing out the mode of reports and accounts to be made and transmitted to the governor.

By reference to the lists filed as substitutes for muster-rolls, companies appear to have been organized as follows:

Lieutenant.	Aggregate force.	Time of service.	
		From—	To—
Thomas K. Carmack	20	Dec. 14, 1857	Mar. 14, 1858
John H. Conner	31	Dec. 2, 1857	Mar. 2, 1858
John S. Hodges	20	Dec. 14, 1857	Mar. 14, 1858
T. C. Frost	20	Dec. 21, 1857	Mar. 21, 1858

John H. Conner was elected lieutenant on the 2d December, 1857, and was commissioned to that office by the governor on the 19th December, 1857 (82).

John S. Hodges was elected lieutenant of the Neill Robinson company on the 14th of December, 1857, and was commissioned to that office by the governor on the 19th December, 1857 (81).

Thomas C. Frost (83) mustered his company into service on the 21st December, 1857.

On the 9th January, 1858, the governor notified the department commander of new depredations committed in the counties of Erath and Bosque, and requested that a mounted force should be sent to that frontier, or that authority should be given to the State to raise two or three companies of mounted volunteers to meet the existing emergency. (House Executive Document No. 27, second session Thirty-fifth Congress, page 3.)

In a reply of the 13th he was informed that troops would be sent in pursuit, and the commanding general stated: "I regret to say I am not authorized to call for volunteers, and can only employ the force now at my disposal." (*Ibid.*, 4.)

On the same date, in reporting the above correspondence to Headquarters of the Army, General Twiggs wrote: "It is extremely mortifying to be placed in this situation with an inadequate force." (*Ibid.*, 3.)

On the same date one John Forbes, in writing, handed to the governor reports of the 7th and 8th January, 1858, from Lieutenants Frost and Carmack, the three communications stating in substance that Indians had recently entered the counties of Comanche, Bosque, Erath, and Palo Pinto, on another foray, and in a bold, audacious manner, committed depredations; two citizens and a negro killed, two persons taken prisoners, and about one hundred and fifty horses driven off. Citizens pursued the Indians, but failed to overtake them. Frost believed the reserve Indians were concerned in the affair. (*Ibid.*, 5–7.) Two days later the governor wrote to Congressmen Bryan and Regan, inclosed copies of the letters from Frost, Carmack, and Forbes, and urged the members of Congress to press action on the government. (*Ibid.*, 4.)

On the 16th January, 1858, a resolution of the State legislature was approved, requiring the Texas Representatives in Congress to "call the attention of the general government to the frequently-recurring depredations committed by the Indians," * * * "to urge the adoption of a more adequate system of protection against them," * * * and "to assist those of our citizens whose property may have been stolen or destroyed by the Indians aforesaid to enforce their claims for indemnity against the general government in such manner as to them may seem most effective." (*Ibid.*, 8.)

R. H. Neighbours, superintendent of Indian affairs for Texas, to the Commissioner at Washington, under date of January 17, 1858, recapitulated Indian depredations committed since November 1, 1857; traced guilt to northern tribes not belonging to the State; referred to former reports concerning the starving condition of certain Indians; defended character of the tribes on Texas reserves; attributed cause of depredations to failure of the government to place certain Indians under proper control, and not to a failure on the part of Indian agents of Texas or of military authorities to perform faithfully the duty intrusted to them; condemned the practice of the general government giving, as annual presents, arms and ammunition to hostile Indians, and concluded by stating that the citizens are preparing claims against the government for indemnity for losses sustained. (*Ibid.*, 9.)

The department commander, in transmitting to Army headquarters a copy of the superintendent's letter, stated:

As I do not understand the policy of the government in arming those Indians who it is notoriously known to be those that are harassing the Texas frontier, I do not complain of it, but think it strange that such things are. (*Ibid.*, 8.)

An extract from a publication in the Austin Intelligencer of about January 28, 1858, gives the following:

The Indians.—Captain John H. Conner, who has been appointed by Governor Pease to look after the recent Indian depredations, came to town yesterday and made a report of some skirmishes, in which he had one man wounded, and killed "one Indian that he got," and perhaps one more. Five citizens of Brown County have been killed and three hundred and twenty-six horses driven off. The frontiersmen are retreating to the settlements, and the greatest consternation prevails.

* * * * * * *

A bill passed both branches of the legislature yesterday, authorizing the governor to call out one hundred rangers for the protection of the frontier, and appropriating $70,000 for the purpose.

This is a step in the right direction. What with the Utah war and Kansas, the United States fails to afford Texas the protection necessary to save the scalps of our citizens. Let us therefore protect ourselves and charge the bill to Uncle Sam. The legislature has nobly performed its duty; let the governor see to getting the right sort of men. (*Ibid.*, 13.)

With the flourishing article above quoted, and in the events following its issue, the companies of Carmack, Conner, Hodges, and Frost, as well as the service rendered by them, seemingly sunk into insignificance, as the evidence found, and to be hereafter referred to, does not appear to historically bear any relation to these four companies.

CLASS VI.

By an act of January 27, 1858, the legislature appropriated $70,000 to "pay Capt. John S. Ford's companies" (137), and these will presently appear in the field.

By a joint resolution approved January 28, 1858, the State set forth its grievances on account of Indian forays, and from the general government sought protection for the citizens, and suggested that certain restrictions should be enforced concerning the Indians on the Texas reserves. (House Executive Document No. 27, second session Thirty-fifth Congress, page 13.)

On that same date the governor appointed and commissioned John S. Ford as captain (84). He was instructed and directed to take command of the troops in the service of the State of Texas called out to protect the frontier; he was authorized to organize "the one hundred additional men," and was ordered as follows:

In all matters pertaining to your duties as commander of the State troops, you will co-operate with the officers of the Regular Army, if expedient, convenient, or practicable; also, with the Indian agents. The interests of the frontier require the existence of a good understanding between the officers of this State and those of the United States, as well as concert of action, when it can be had without detriment to the efficiency or the good of the State service. * * * I impress upon you the necessity of action and energy. Follow any and all trails of hostile or suspected hostile Indians you may discover, and, if possible, overtake and chastise them if unfriendly. (*Ibid.*, 14.)

January 30, 1858, the department commander transmitted to Army headquarters an account of Indian depredations south of Belknap, and stated:

All the disposable force of cavalry from Camp Verde, Fort Mason, Camps Colorado and Cooper, have been ordered to that part of Texas, leaving other portions of the frontier, in some measure, unprotected. This is all I can do with the present force. This is the first time in a number of years that the Indians have committed depredations in that vicinity. (*Ibid.*, 12.)

On the 2d February, 1858 the governor wrote to the department commander, inclosed a copy of the orders issued to Ford, tendered the troops to the government through the general (Twiggs), and requested that they be recognized and mustered into the service of the United States. (*Ibid.*, 14.) The general replied on the 7th:

> There is no authority by which I can accept the services of the company of State troops without first referring the matter to the War Department; this reference will, however, be immediately made. (*Ibid.*, 15.)

On the 8th and 9th February, 1858, State commissions were issued to Lieutenants Burleson and Pitts, of Ford's company (85). In March, 1858, the governor requested the President of the United States to authorize the employment of Texas volunteers to take the place of regular forces reported as ordered to be removed from the Texas frontier at an early day. (*Ibid.*, 16.) To this the Secretary of War replied:

> It is believed that the regiment of mounted volunteers authorized to be raised for service in your State under act of April 7, 1858, will be sufficient to replace the Second Regiment* of Cavalry, ordered from Texas to Kansas. (*Ibid.*, 16.)

The regiment of Texas volunteers authorized by the aforementioned act does not appear to have been raised, for the reason that Congress did not make appropriations to meet the expenses which would follow. By reference to correspondence in January and February, 1860, it will be seen that the War Department was at that time asked by the Senate Military Committee to send in estimates of the amount necessary to pay, arm, and support the regiment for one year. The estimates were transmitted, but no subsequent action appears to have been taken. (Senate Document No. 21, pages 20, 21, first session Thirty-sixth Congress.)

On the 21st May, 1858, Lieut. A. Nelson, of Ford's Texas Rangers, reported two engagements in which his command operated against Comanche Indians, on the 12th instant, on the north side of the Canadian River. Elated at a success, he remarked:

> In this, as their first engagement, both officers and men under my command bore themselves gallantly, and as men sensible they had to maintain the character of Texan Rangers. (House Executive Document 27, second session Thirty-fifth Congress, page 21.)

The particulars of these engagements are detailed in Captain Ford's report of May 22, 1858, from which it appears that his command, together with certain Indian allies from the Texas reserves, passed into the Indian Territory, and there the spies of the expedition, who had discovered Comanche Indians "running buffalo," had gotten a correct notion of their camp by watching the pack-animals as they transported buffalo-meat to it. The captain reports:

> I prepared to move upon the enemy without delay. When we reached the Fort Smith and Santa Fé road, we saw Comanches moving about in the valley beyond the "divide," apparently unconscious of our proximity. When they had gone we resumed our march, confining ourselves to the low grounds and ravines, to keep out of sight.

The next morning a small "camp of five lodges was discovered and taken. Two Comanches fled toward the Canadian, and were followed by the whole command at nearly full speed." In pursuing the two Indians another camp was discovered, surprised, and the enemy routed. The head chief, Iron Jacket, appeared in gorgeous array, but "fell riddled with balls." The second chief was also killed, and the Comanches were pursued and punished until the pursuers' horses were exhausted. To sum up the affair from the captain's remarks:

> The forces of the enemy in these two engagements amounted to upward of three hundred. The captured camp had seventy lodges and fires. The other party num-

* This regiment continued on duty in the State July, 1858. (*Ibid.*, 23.)

bered over one hundred. Our entire force was two hundred and thirteen. The loss of the enemy, ascertained by actual count of those remaining on the field, was as follows: First engagement, killed 69; second engagement, killed 7; total, 76. Our loss, first engagement, killed 1, wounded 2; second engagement, killed 1, wounded 1; total, killed 2, wounded 3.

The enemy had many wounded, but it was impossible to ascertain the number, and therefore no guess at it will be made.

We captured over three hundred head of horses; most of them are in possession of friendly Indians; some fifty or sixty are in the hands of my men. There are few, if any, American horses among them. We took eighteen prisoners, mostly women and children.

* * * * * * *

The conduct of the men under my command was characterized by obedience, patience, and perseverance. They behaved, while under fire, in a gallant and soldier-like manner, and I think that they have fully vindicated their right to be recognized as Texas Rangers of the old stamp. (*Ibid.*, 17.)

General Twiggs arrived at headquarters and assumed command of the department on the 1st of June, 1858, and on the following day inclosed to the Adjutant-General of the Army a copy of Ford's report of the "two engagements" in the limits of the Cherokee country. (*Ibid.*, 17.)

Captain John S. Ford wrote from the Brazos agency to the governor, under date of July 5, 1858, referred to the arrival of two reserve Indians, "who had been sent to the tribes east of the Red River to learn, if possible, the parties who committed the depredations in Jack and the adjoining counties in May and June;" and after detailing certain reports obtained, he stated:

The continued and unaccounted-for absence of the Kickapoos and Keechis and other circumstances point to these people as the prime movers of the murders and depredations recently committed in Jack and the contiguous counties. (*Ibid.*, 29.)

* * * * * * *

There can be no doubt of the existence of an alliance between the renegade Kickapoos and Keechis and the northern Comanches in making war upon Texas.

The two messengers also learned that the different bands of Comanches had recently held a council and agreed to consolidate the seven bands into one, under the leadership of the nephew of the late chief Pa-bah-yu-cah. They have made treaties with all or nearly all the tribes residing east of Red River, and the head-chief has taken all the women, children, and old men into the Creek country, which he deems a place of safety for them. The other six bands are to continue the war upon the people of Texas and the reserve Indians. In the event of being hard pressed, they contemplate, beyond doubt, falling back upon their head-chief as a point inaccessible to their enemies, and thus they will convert the people, affording the refuge and their countenance—their allies to all intents and purposes. Should I be continued in the service, I should not hesitate to move upon the point occupied by the head-chief of the Comanches, and chastise him and any others interfering or aiding in the matter adversely.

These facts corroborate and substantiate others already reported to you, and indicate the necessity of inaugurating prompt and efficient measures to give protection to the frontier, and to punish the parties who have grown rich by trafficking in the spoils wrested from our unprotected citizens. They cannot, in justice to the frontier, be overlooked; you will pardon me for again insisting upon the necessity of having a large force in the field, and the good results to be anticipated from a fall or winter campaign against our combined enemies. This, in my belief, affords the only sure plan to secure Texas against the inroads and ravages of her savage and relentless foes. *Ibid.*, 31.)

General Twiggs, to Army Headquarters, July 6, 1858, wrote:

The Second Cavalry remains at or near Belknap. If they are intended to be placed under the orders of the department commander for the defense of this frontier, I would respectfully recommend a change of policy with the Indians. For the last ten years we have been on the defensive. I would suggest that it would be better not to detach the regiments to the posts as formerly, but send two detachments (say four companies each) into the Indian country, and follow them up winter and summer; thus giving the Indians something to do at home, and taking care of their families, and they might possioly let Texas alone. I think the experiment worth making. Guides and trailers, I am informed by the agent, can be had from the Indian reservations in Texas. (*Ibid.*, 23.)

The foregoing suggestion received the approval of the General-in-Chief on the 22d July, 1858. (*Ibid.*, 23.)

In the mean time (on the 9th July) the governor of Texas had inclosed to General Twiggs a copy of Ford's report of July 5, 1858, and expressed his apprehensions that disturbances of a serious character would soon arise on the frontiers from incursions of Indians, "now the more exasperated because of the recent retribution visited on them for the many outrages prepetrated during last winter and spring." (*Ibid.*, 27.)

On the 10th the governor wrote to the Secretary of War, stating:

> The disbandment of the little band of rangers which has been stationed on the frontier will take place about the 1st of August, and, I fear, will occasion great consternation and alarm to the exposed settlements unless prompt action should be taken by the general government in substituting an active and effective force in their stead. (*Ibid.*, 26.)

July 27, 1858, General Twiggs, to Headquarters of the Army, wrote:

> I respectfully ask permission of the General-in-Chief to detach three or four companies, in the fall, to leave on the 15th of September, to go into the Indian country and follow up the Comanches to the residence of their families, this command to remain some three or four months, or until spring. It is necessary to have the order of the General-in-Chief, as the command might find it necessary to follow the Indians into another department.
>
> I intend, if the permission is given, to put the command under Major Van Dorn.
>
> The Second Cavalry being concentrated at Fort Belknap has, in my opinion, restrained the Indians from retaliating on the settlements for the attack on them by the Texans lately. (*Ibid.*, 24.)

The Dallas Herald published a communication of July 20, 1858, from A. C. Love, Oil Springs, Chickasaw Nation. The editor, in commenting upon the affairs set forth, stated:

> We think that a vigilant lookout ought to be kept up, and that the movements of the northern Comanches ought to be watched constantly. The Indians are exasperated at their defeat by Captain Ford. They must be "wiped out," as Mr. Love expresses it, or they will have terrible revenge. (*Ibid.*, 32.)

Further propositions were submitted by General Twiggs to Army Headquarters under date of August 4, 1858, in relation to offensive operations against the Indians. (*Ibid.*, 25.)

August 9, 1858, the governor inclosed to the Secretary of War a copy of Captain Ford's report and suggestions of the 5th ultimo, and, as the executive of the State, demanded from the general government protection for the citizens on the frontiers of Texas. He wrote:

> The existing state of affairs cannot be endured, and Texas will not much longer acquiesce in silence, little as it may be believed by those from whom she claims a proper consideration. (*Ibid.*, 29.)

From the rolls filed with the vouchers it appears that Ford's command was as follows:

Officers.	Aggregate force.	Time of service.	
		From—	To—
John S. Ford, captain, and four lieutenants	135	Jan. 10, 1858	Aug. 10, 1858
John Williams	*20	May 24, 1858	July 24, 1858
William G. Preston	24	Apr. 20, 1858	June 30, 1858
W. N. P. Marlin	34	July 15, 1858	Nov. 15, 1858

* This company the governor specially authorized (86) in May, 1858, and disbanded (69) in July, 1858.

Further evidence concerning the history of the foregoing organization is not found.

CLASS VII.

August, 1858.

9th.—Captain William E. Prince, United States Army, to Texas department headquarters, wrote:

Wichita chiefs report that large bands of Comanches, Apaches, Cheyennes, and other wild tribes of Indians are collected on the Canadian, near the Antelope Hills, professedly for hostile purposes, and * * to make an incursion upon the frontier of Texas. (Page 35 of House Executive Document No. 27, Thirty-fifth Congress, second session.)

9th.—General Twiggs renewed his remarks concerning the proposed Van Dorn expedition, and stated:

For the last ten years the troops in this department have been acting mostly on the defensive. The Indians will not remain quiet, and they must be made to feel the power of the United States. (*Ibid.*, 24.)

12th.—The governor inclosed to the Secretary of War the (Love) slip from the Dallas Herald in regard to the intended movements of the Indians. (*Ibid.*, 31.) The receipt of this was acknowledged by the War Department on the 28th following. (*Ibid.*, 34.)

24th.—General Twiggs sent to Army Headquarters the Prince letter of the 9th, and inclosed a newspaper paragraph headed, "*Indian depredations; four men killed; occurrences near Fort Davis.*"

The general stated:

Fort Davis is one hundred and eighty miles from Fort Lancaster. This extreme distance is without any military post. It is between these points most of the depredations on this road are committed. The road from this to El Paso is traveled almost daily, and large amounts of property transported on packs and trains. The San Diego mail makes two trips a month to San Diego from this place (San Antonio). It is important that this road be well guarded, but I have not the force to do it. (*Ibid.*, 34.)

September, 1858.

2d.—Lieutenant Van Camp, United States Army, reported concerning his attempt and failure to enforce order at the Comanche agency on the Clear Fork of the Brazos. (*Ibid.*, 38.)

17th.—General Twiggs, to Army Headquarters, wrote:

Indications along the frontier, as well in Texas as outside, augur a general war with the Comanches, Kickapoos, and such other hostile tribes of Indians as they can induce to join them, and that they will operate united against the frontier of Texas. It is said a council of the different tribes has been held this summer, and such was the determination.

From the Rio Grande reports are numerous of depredations and murders in Mexico. The river is, of course, no barrier to their crossing on this side, as the Rio Grande can be forded at this season of the year anywhere. Major Van Dorn's command is smaller than I could wish, but it is all that he can be safely spared from the department at this time. The inclosed report, from Lieutenant Van Camp, of the Second Cavalry, shows the feelings of the Comanches on the reserve. (*Ibid.*, 36.)

18th.—Sixty-one citizens of Wise and Montague Counties joined in a petition, representing the deplorable condition of affairs in their section of country; referring to Indian depredations committed upon the settlers, to their "having despaired of receiving protection from the United States," to the depopulation of Montague County, and to the general distress prevailing about their neighborhoods. The citizens concluded by announcing their determination to organize a company for "self-protection"; but they desired the governor's sanction and cooperation in the matter. (*Ibid.*, 61.) The petition was inclosed to the governor in a letter from H. Bishop, indorsed by H. H. Gaines, giving additional particulars. (*Ibid.*, 62.)

26th.—Van Dorn's command was at a camp on Otter Creek, Cherokee Nation, and from there the major reported as to his intentions. (*Ibid.*, 48.)

October, 1858.

1st.—The command had an engagement with the Comanche Indians. Lieutenant Van Camp and three men were killed, and Van Dorn, Captain Ross, and eight soldiers wounded; forty-four Indians were killed and some women and children taken prisoners. (*Ibid.*, 49–50.)

4th.—One hundred citizens of Cook, Montague, and Wise Counties joined in a petition to the governor, setting forth that murders and thefts had been committed in their vicinities by Indians, and asked for a company of a hundred men to range in these counties. (*Ibid.*, 64.) This petition was inclosed to the governor by his friend E. C. Palmer, who stated:

There is no humbug about it. It is all the men can do to protect their stock and their families; they cannot go out after the Indians; they are all looking to you for a little help immediately, and you will gain a great credit by assisting. It is their wish that you send Captain Ford, if he is convenient, with orders to enlist a company in these or the adjoining counties. This country is settling up very fast; a large emigration is expected from Missouri, and the slaveholders from Kansas. (*Ibid.*, 66.)

4th.—The petition of September 18, 1858, having reached the governor, he wrote to Colonel James Bourland, of Cook County, expressing pleasure at an article in the Dallas Herald, showing that the colonel had taken the matter of protection in hand, and, with a number of citizens, "had determined to follow up and punish the Indian enemy." (*Ibid.*, 42.)

The governor inclosed to the colonel a commission (91) as captain, and authorized him to raise a company of seventy-nine men, rank and file, and delegated to him powers of an extraordinary character; for which see pages 41 to 43 of House Executive Document No. 27, of the Thirty-fifth Congress, second session, or the papers hereunto annexed, numbered 90 and 91.

5th.—Van Dorn, having sufficiently recovered from his wounds, wrote a detailed report of his engagement of the 1st instant. (*Ibid.*, 51.)

7th.—General Twiggs apprehended that a "serious blunder" had been made somewhere, as he had learned that a treaty was made with the Comanches, Wichitas, &c., while he was fitting out an expedition against them. (*Ibid.*, 40.)

14th.—Ben. Hubert offered observations of depopulated counties. (*Ibid.*, 66.)

18th.—General Twiggs forwarded to Army Headquarters Van Dorn's report and commented thereon. (*Ibid.*, 48.)

18th.—James Bourland accepted the commission from the governor and reported Indian depredations, asserting that the Comanches were fearfully in earnest concerning their warfare against Texas. (*Ibid.*, 55.)

Van Dorn's command rested at camp on Otter Creek, Cherokee Nation. (*Ibid.*, 58.)

22d.—General Twiggs, to Army Headquarters, wrote:

I consider there is now a crisis in the Indian affairs of this frontier, and if I had the means to prosecute a vigorous campaign against them much good would be the result. The Comanche Indians should be thoroughly chastised, or there will be no peace or security to Texas. (*Ibid.*, 53.)

25th.—Reports made to the governor: Joshua Jackson, wife, daughter, and a child murdered, and two girls of the same family carried off by Indians. (*Ibid.*, 67 and 68.) Fifty-five citizens of Lampasas County, citing the above, petitioned the governor to grant them a company. (*Ibid.*, 70.)

27th.—The governor wrote to the Secretary of War, hoping the general government would provide to meet the expenses of Bourland's company (*Ibid.*, 54), and to General Twiggs concerning the Jackson murders, and aid required. (*Ibid.*, 57.)

28th.—A district court adjourned, "and the court and juries and many citizens" started in the pursuit of Indians. (*Ibid.*, 69.)

30th.—Business suspended; families "forted;" a young lady found butchered; Indians pursued, one killed; some clothing of Jackson family recovered; alarm and confusion prevailing. (*Ibid.*, 70.)

30th.—General Twiggs transmitted to Army Headquarters the governor's request of 27th, and stated: "No troops available" to meet the request except one company of cavalry supposed to be already "in pursuit of those Indians." (*Ibid.*, 56.)

November, 1858.

1st.—General Twiggs reported Van Dorn's position; had sent re-enforcements; action and energetic operations necessary; frontier stripped of nearly all the mounted force; a very hazardous move; understood Comanches crossed into Mexico; shall pursuit follow into Mexico? In absence of instructions will order them pursued across the Rio Grande. (*Ibid.*, 57.)

2d.—Governor authorized John S. Ford to raise a company of rangers, to rendezvous at Austin. (*Ibid.*, 71.)

Governor, to Secretary of War, inclosed evidence of depredations and "letters of Capt. John Williams and Lieutenant Cowan, officers of a company of volunteers organized for the immediate protection of their homes." He stated:

I have, therefore, under the existing emergency, authorized, in addition to the order issued to Captain Bourland, Capt. John S. Ford to raise a company of eighty-nine men, with instructions to repair without delay to the point of danger and give such protection to the inhabitants as he may be able therewith. In conclusion, I can but express the hope that the government will recognize these companies and cause an appropriation for their pay and subsistence to be made by Congress at its present session; and, if not, that such other effective measures may be adopted at an early day as will render their presence no longer necessary in the field. (*Ibid.*, 60.)

9th.—General-in-chief, to Twiggs regrets additional troops cannot be sent to Texas; purposes to send recruits. (*Ibid.*, 54.)

10th.—Ford and his lieutenants commissioned (94).

15th.—Van Dorn expedition heard from. (*Ibid.*, 72.)

18th.—General Twiggs wrote:

The experiment of following the Comanches into their country so far is attended with good results. None have been on the frontier since Major Van Dorn went into that country, with one exception, and that was the party that murdered the family in Brown County. (*Ibid.*, 73.)

19th.—General-in-Chief, to General Twiggs, sanctioned the pursuit, if necessary, of hostile Indians into "another department" by troops of the Department of Texas. (*Ibid.*, 59.)

26th.—General Twiggs expressed regret at not being able to obtain re-enforcements; Van Dorn's horses, much reduced, to be recruited; Comanches out of reach; will probably remain so until the cavalry leaves their country, "when the same scenes will be enacted over again that have been on the Texas frontier for the last ten years. The inhabitants of Texas cannot be protected by the present force in the department." (*Ibid.*, 73.)

26th to 28th.—Van Dorn's command to be in the saddle on the 1st proximo (*Ibid.*, 73) to "hunt" Indians. (*Ibid.*, 74.)

December, 1858.

8th.—The Comanches will in all probability not trouble the frontier of Texas this winter. Permission given to Van Dorn to winter at Fort Belknap with a portion of his command. (*Ibid.*, 76.)

9th to 12th.—Scouting parties sent out from Van Dorn's command; no Indian signs. (Page 356, Senate Document No. 2, Thirty-sixth Congress, first session.)

13th.—General Twiggs reviewed his past reports and submitted plans for future operations. Purposed to next spring break up all the posts except those on El Paso mail-route and to concentrate the infantry at some point near the Indian country. Expressed his views in relation to the Comanche Indians. (Page 76, House Executive Document No. 27, Thirty-fifth Congress, second session.)

January, 1859.

13th.—General Twiggs's plans submitted to General Scott, in substance; to break up posts at Fort Brown, Ringgold Barracks, and Fort McIntosh; increase garrison at Fort Duncan; part of infantry to protect San Antonio and El Paso mail-route; rest to be concentrated at Camp Cooper, on Comanche reservation; suggested that, in order to govern Comanches near Chihuahua, in Mexico, where "there is now no government," a portion of her territory should be taken possession of by the United States. (Page 5, House Executive Document No. 52, first session Thirty-sixth Congress.)

13th.—General Scott forwarded the plans above mentioned for executive consideration, and approved the suggestion in relation to the Comanches. (*Ibid.*, 6.)

19th.—The Secretary of War instructed General Twiggs "that it is inexpedient to allow the troops in pursuit of the Indians to pass beyond the borders of the United States." (Page 355, Senate Document No. 2, Thirty-sixth Congress, first session.)

30th.—Fort Belknap to be broken up by command of General Twiggs. (*Ibid.*, 355.)

31st.—The latter suggested the enforcement of an order "declaring the Comanches hostile whenever found off the limits of their reservations without proper permission, and requiring the troops to punish them accordingly." (*Ibid.*, 355.)

February, 1859.

5th.—General Twiggs wrote:

> It is known that a portion of the Indians that were attacked by Major Van Dorn, in October last, crossed the Rio Grande into Mexico. They are located on a lake eighty miles southeast of Chihuahua. The number of Comanche warriors around that lake is estimated from seven to eight hundred. It appears there is a tacit understanding between them and the Mexicans not to molest each other except in extreme cases. They will, no doubt, commence their operations on the Texas frontier as soon as the grass will subsist their animals. These Indians ought to be broken up and be made to feel that the only security for them is in their good behavior. (*Ibid.*, 358.)

5th.—Captain Lee reported five government mules stolen from Fort Quitman last night by Indians, who fled across the Rio Grande. (*Ibid.*, 360.)

5th.—Ringgold Barracks and Forts McIntosh, Mason, and McKavett to be abandoned by order of General Twiggs. (*Ibid.*, 259.)

6th.—Fifty-eight horses stolen from Dr. Isabel in the Frio Cañon by

Indians, whom a detachment of regulars pursued on the 9th and overtook on the 13th. Three of the six thieves were killed. Of the horses, forty-nine were retaken and nine were killed. (*Ibid.*, 361.)

16th.—Indians on the other side of Rio Grande turning their attention to the El Paso road. (*Ibid.*, 360.)

21st.—The chief justice of Mason County complained of Indian visits made to his county after Fort Mason was broken up, and asked the governor for troops. (Page 9, House Executive Document No. 52, Thirty-sixth Congress, first session.)

22d. An engagement reported between regulars and Indians on the San Diego mail-route about seventy-five miles northwest from El Paso. "This is the third time, within the past thirty days, that Indians who are in communication with Mexico have made their appearance at different points along this route." (Page 361, Senate Document No. 2, Thirty-sixth Congress, first session.)

24th.—Comanches near Fort Arbuckle; two killed by detachment of regulars. (*Ibid.*, 381.)

24th.—John S. Ford, at Brazos agency, was preparing to pay off Lieutenant Marlin's command; heard of a party of Indians passing up country with about one hundred and twenty horses stolen from Caddo Indians; at once commenced to organize an expedition; enlisted Lieutenant Marlin and some of his men for the trip; American horses also stolen. (Page 10, House Executive Document No. 52, Thirty-sixth Congress, first session.)

27th, 28th.—Comanches near Fort Arbuckle committing depredations. (Pages 381, 384, 385, Senate Document No. 2, Thirty-sixth Congress, first session.)

28th.—More Comanches killed by regulars near Fort Arbuckle. (*Ibid.*, 385.)

March, 1859.

4th.—James Bourland reported concerning the operations of his command. (Page 10, House Executive Document No. 52, Thirty-sixth Congress, first session.)

9th.—Citizens of Brownsville petitioned the Secretary of War to give them security of life and property by ordering the reoccupation of Fort Brown and Ringgold Barracks by United States troops. (*Ibid.*, 12.)

15th.—The governor desired the Secretary of War to adopt measures for the payment of the companies of Ford and Bourland, they to be kept in the field. (*Ibid.*, 8.)

18th, 19th.—Governor communicated with General Twiggs, who replied that the settlement of "the existing difficulties between the citizens of Texas and the reserve Indians, who are known to be friendly, is a purely civil matter, with which I have nothing to do further than to aid the proper officers in carrying out the laws." (Pages 362, 363, Senate Document No. 2, Thirty-sixth Congress, first session.)

19th.—Governor communicated with Bourland about rolls and recruits. (103.)

21st.—Messrs. Hemphill and Ward, to the Secretary of War, believed there were "mischief and calamities likely to follow the removal of the troops from Fort Brown, Ringgold Barracks, and Fort McIntosh." (Page 11, House Executive Document No. 52, Thirty-sixth Congress, first session.)

24th.—R. S. Neighbours apprehended that a party of Texans contemplated an attack on the Indians at the Brazos agency. (Page 363, Senate Document No. 2, Thirty-sixth Congress, first session.)

28th.—General Twiggs explained about posts broken up, and stated:

There is not nor ever has been any danger of the Mexicans crossing on our side of the river to plunder or disturb the inhabitants, and the outcry on that river (the Rio Grande) for troops is solely to have an expenditure of the public money. At every post that has been abandoned in Texas an outcry has been raised, and plenty of Indian signs seen; the citizens in the vicinity of those posts are very unwilling to lose the opportunity of handling a portion of the money necessarily expended by the government and troops. (*Ibid.*, 362.)

28th.—Reserve war over for the present; "men embodied was about one hundred, from Jack, Palo Pinto, and Wise Counties." (*Ibid.*, 363.)

April, 1859.

5th.—The Secretary of War authorized General Twiggs to enforce hostilities against all Indians found off their reserves within his department. (*Ibid.*, 357.)

May, 1869.

13th.—Regular troops operated successfully against Indians. (*Ibid.*, 365–368.)

21st.—Citizens again in arms against the Brazos reserve Indians; one of the latter hanged; Ex-Indian Agent John R. Baylor commanded the citizens; "had determined to destroy the Indians on this and the upper reserve if it cost the life of every man in his command"; citizens withdrew to Marlin's ranch; "it was believed that Baylor would join with Nelson," and attack the Comanche reserve.

26th.—Maj. George H. Thomas, at Camp Cooper, Texas, wrote:

I was told this morning, by a gentleman who resides near Austin, that there was the greatest excitement throughout the lower counties and that the people were arming with the avowed intention of attacking and breaking up both reserves. All civil authority seems to be at an end. The May term of the district court of Young County cannot be held, the judges and other officers of the court fearing to travel through the excited district. (*Ibid.*, 373.)

27th.—"I received additional information this morning that over two hundred men were on the road between this and Belknap, and that they were concentrating to attack this reserve" (the Comanche). (*Ibid.*, 374.)

31st.—Reported that two hundred Comanches came over from Mexico, and were seen near Comanche Spring, on the El Paso road. (*Ibid.*, 375.)

June, 1859.

2d.—General Twiggs, to the governor, referring to the deplorable state of affairs at the Indian reservations, wrote:

Nearly all of the United States troops under my command, as you are well aware, are now engaged in active operations in the field against hostile Indian tribes, so that, were it their province, I have but a small number left to keep the citizens of Texas from exterminating Indians who are known to be friendly, and who have furnished from their tribes about a hundred warriors to accompany the troops as guides in the field. (*Ibid.*, 374.)

6th.—The governor appointed a board of five peace commissioners to represent the State of Texas and peaceably and lawfully adjust the difficulties at the Brazos agency. He authorized the board, "in the last resort, to call into the military service of the State one hundred men, for the purpose of preserving the peace and preventing violations of the law between the parties." (105, 106).

9th.—General Twiggs instructed to furnish an escort for the removal

of Indians from Texas reservations to the country leased from the Choctaws and Chickasaws. (Page 364, Senate Document No. 2, Thirty-sixth Congress, first session.)

11th.—The department commander to General Scott reported concerning the Comanches seen near Comanche Spring, on the El Paso road, and stated:

So long as these Indians know that the Rio Grande is the limit beyond which the United States troops cannot pursue them will the State be infested by these maurauders from foreign territory. (*Ibid.*, 375.)

22d.—General Twiggs acknowledged receipt of order of 9th instant, and wrote:

A compliance with the instructions will necessarily leave a portion of the frontier without adequate protection. (*Ibid.*, 375.)

25th.—General Twiggs, to the Adjutant-General, wrote:

I am at a loss to know what kind of a guard to send with the reserve Indians, whether cavalry or infantry. If it is to protect them from Texans, a small detachment is sufficient, as the Texans will not follow the Indians out of the limits of the State; if from the Indians on the prairie, less than four companies will not be sufficient. I do not wish to break up any of the posts on the El Paso road, as the Indians in Mexico, across the Rio Grande, ought to be kept in check, if possible. I do not think there are twenty hostile Comanches in Texas, but they can come in a few hours from the other side of the Rio Grande. (*Ibid.*, 376.)

July, 1859.

6th.—General Twiggs wrote:

I do not believe there is at present in this State any considerable number of Comanche Indians; there may be some small parties for horse-stealing, &c. (*Ibid.*, 376.)

8th.—Inquiry, concerning disposition to be made of six Comanche prisoners, answered August 5, 1859. (*Ibid.*, 377.)

13th.—Disturbances at Brownsville, in executing a warrant, will presently be especially referred to under a heading, "Juan N. Cortinas."

14th.—The War Department decided to protect the reserve Indians by force, if necessary. (107.)

16th.—General Twiggs notified of the decision of the 14th (page 365, Senate Document No. 2, first session Thirty-sixth Congress), and instructed to send two companies with the reserve Indians. (*Ibid.*, 375.) (108.)

September, 1859.

1st.—Indians reported to be near Laredo, "exhibiting no fear whatever." Page 30, House Executive Document No. 52, second session Thirty-sixth Congress.)

8th to 9th.—Indians appeared on the Pendencia, thirty-five miles southwest of Eagle Pass, where they destroyed everything in and about two houses, occupied by three families; killed a Mr. Warman; ravished two daughters, one of six and the other of ten years, in presence of their mother (Mrs. Hunter); beat out the brains of the three females; crushed an infant to death, and, taking its mother with them, crossed the Rio Grande. The reporter (William Stone) concluded by stating:

While there were troops at Fort Duncan, there was never an instance of women and children being massacred, at least not in this vicinity—Eagle Pass. (*Ibid.*, 17-28.)

10th to 15th.—Two companies, one of twenty-two, the other of eighteen citizens, sent in pursuit of the Indians. (*Ibid.*, 29.)

16th.—General Twiggs reported to Army headquarters the murders above referred to. (*Ibid.*, 16.)

17th.—Three parties of Indians reported near Laredo, committing depredations, and volunteers organizing to drive them out of the country.

22d.—Dallas Herald. William Stone, captain of volunteers, in pursuit of Indians. "The merchants at Eagle Pass threw open their stores, and generally told the volunteers to help themselves to supplies." (*Ibid.*, 19.)

22d.—William Stone, reporter of the outrages on the 8th and 19th instants, "is a man whose statements may be relied on."

"This, in my opinion, is only the commencement of outrages by Indians from the Mexican side of the Rio Grande."—General Twiggs. (*Ibid.*, 16.)

October, 1859.

1st.—John L. Haynes dwelt upon the early history of operations on the Rio Grande, and urged the reoccupation of certain military posts. (*Ibid.*, 24.)

6th.—Hon. John Hemphill, to the President, submitted the foregoing of the 1st instant, with comments. (*Ibid.*, 23.)

7th.—General Twiggs reported concerning small parties of marauding Indians, supposed to be from across the Rio Grande. (*Ibid.*, 31.)

Here the chain of evidence concerning current events connected with Indian operations appears broken, leaving a blank covering several months' time.

Referring to the lists or rolls of troops pertaining to this class, the following appears:

Officers.	Enrolled.		Discharged.		Died.
	No.	When.	No.	When.	When.
Captain James Bourland	1	Oct. 4, 1858	1	Unknown.	
First Lieutenant E. C. Perry	1	Oct. 28, 1858	1	Unknown.	
Second Lieutenant A. Boutwell	1	Oct. 28, 1858	1	Jan. 28, 1859	
Third Lieutenant G. H. Fitzhugh	1	Oct. 28, 1858	1	Unknown.	
Enlisted men	63	Oct. 28, 1858	1	Nov. 29, 1858	
Recruits	2	Nov. 10, 1858	1 1	Dec. 22, 1858 Dec. 25, 1858	
Recruits	11	Nov. 13, 1858	1 52 1	..... Jan. 28, 1859	Jan. 11, 1859 Feb. 27, 1859
Recruit	1	Nov. 29, 1858	1	Feb. 28, 1859	
Recruit	1	Dec. 22, 1858	1 1	..... Mar. 28, 1859	Mar. 27, 1859
Recruits	9	Jan. 28, 1859	2	April 6, 1859	
Recruits	4	Feb. 7, 1859	31	April 28, 1858	
Recruits	2	Feb. 13, 1859	.....	.....	
Captain John S. Ford	1	Nov. 10, 1858	1	May 10, 1859	
Lieutenant J. R. Gibbons	1	Nov. 10, 1858	1	May 10, 1859	
Lieutenant Aaron Burleson	1	Nov. 10, 1858	1	May 10, 1859	
Enlisted men	87	Nov. 10, 1858	86 1	May 10, 1859 Feb. 10, 1859	
Lieutenant W. N. P. Marlin	22	Feb. 24, 1859	22	April 4, 1859	
Captain J. H. Brown (commissioner)	1	June 28, 1859	1	Sept. 12, 1859	
First Lieutenant J. W. Newlin*	1	.....	1	Sept. 1, 1859	
Second Lieutenant J. Y. Carmack*	1	.....	1	Sept. 1, 1859	
Surgeon W. E. Oakes*	1	.....	1	Sept. 1, 1859	
First Lieutenant W. H. White†	1	.....	1	Sept. 12, 1859	
Second Lieutenant J. D. Bell†	1	.....	1	Sept. 4, 1859	
Surgeon H. Bradford†	1	.....	1	Sept. 4, 1859	
Enlisted men	55	.....	1	.....	Aug. 15, 1859
Recruits	4	July 4, 1859	4 15	Aug. 21, 1859 Aug. 23, 1859	
Recruits	14	July 7, 1859	1 19	Aug. 25, 1859 Sept. 1, 1859	
Recruits	4	July 18, 1859	36 1	Sept. 4, 1859 Sept. 12, 1859	

* First detachment. † Second detachment.

Bourland's company was the one authorized by the letters of October 4, 1858, and March 19, 1859, from the governor, who acknowledged re-

ceipt of its rolls on the last-mentioned date. Concerning the services of this company there is nothing found further than what appears in Bourland's communications of October 18, 1858, and March 4, 1859. Its existence, otherwise than on paper, was apparently unknown to the United States military authorities in Texas.

Ford's company was the one authorized by the letter of November 2, 1858, from the governor, who commissioned its officers on the 10th of the same month. Nothing further appears concerning the services of this company than is found in Ford's report of February 24, 1859.

Brown's company was one which the peace commissioners on the part of the State were authorized to call out in the last resort to settle the difficulties at or near the Brazos agency. One of the commissioners, John Henry Brown, became captain of the company, and concerning its service nothing further appears.

CLASS VIII.

The history of the troops employed under this classification renders it necessary to turn to certain records of Congress and trace events therein noted. For convenient reference, let marks appear to represent the books selected, as follows:

A.—Senate Document No. 21, first session Thirty-sixth Congress, vol. 9.
B.—Report of Committees (H. R.) No. 535, first session Thirty-sixth Congress, vol. 4.
C.—House Executive Document No. 52, first session Thirty-sixth Congress, vol. 8.
D.—House Executive Document No. 81, first session Thirty-sixth Congress, vol. 12.
E.—Senate Document No. 2, first session Thirty-sixth Congress, vol. 2.

Let numbers hereinafter specified be applied to the pages bearing upon the history of this class in connection with Juan Nepomuceno Cortinas. This extraordinary character was a soldier under General Arista at the time General Taylor's army arrived on the Rio Grande (D, 2); was at one time lieutenant under Garcia, but being detected selling horses given him for a remount, was dismissed (D 3); murdered his employer, Mr. Sommerville, in 1847; committed robberies in Texas in 1849 (C, 125); had an indictment pending against him in 1850 in the Cameron County court of Texas (C, 123); continued to commit depredations in Texas in 1858; was then an outlaw, and for his numerous robberies was again indicted in the Cameron County court in the spring of 1859 (A, 13); the indictments were hushed or looked over; he visited Brownsville two or three times a month, walked publicly in the streets, and went where he pleased (A, 12); when he came to town he was always well armed or had some of his friends around him, making it dangerous to interfere with him (D, 2; C, 21).

In the spring of 1859 a number of Mexicans of reputed bad character, who infested certain sections of country bordering on the Nueces River, were driven away by a vigilance committee. These Mexicans banded together with Cortinas, and committed depredations thereafter (A, 15). He had a ranch, called San José, a few miles from town, and whenever there was any danger of arrest, he would retire to that place and keep himself surrounded by a band of outlaws as desperate as himself (D, 2).

July, 1859.

13th.—Robert Shears, city marshal of Brownsville, was in the act of executing a warrant for the arrest of a disorderly Mexican, when Cortinas appeared, shot the marshal, took the Mexican, set him up on behind his horse, and rode off unpursued. To the marshal, Cortinas subse-

quently sent messages that he was in command of a company of soldiers at Matamoras, and he offered money to reconcile and compromise the shooting affair (A, 17).

September, 1859.

28th.—Cortinas and his band entered Brownsville early in the morning, murdered five citizens, including the jailer, and released ten or twelve murderers or robbers from the jail (C, 31). "The immediate object of the gang seemed to be to execute summary vengeance on all toward whom either Cortinas or any of his gang had private grudge. The party remained several hours in the place, charging through the streets in a most savage manner, calling for many persons whom they did not find, the gang shouting, 'Death to the Americans! *viva la republica Mexicana*,' and threatening to hoist the Mexican flag on the staff of our deserted garrison" (C, 20).

Cortinas made his headquarters in the deserted garrison of Fort Brown, and sent mounted men hunting up their enemies. He himself rode up to a store and called for spirits of turpentine. At this time General Caravajal made his appearance, sent for Cortinas, had a talk with him, and, with the assistance of Don Manuel Tresiño, induced the villain to leave town (D, 4).

The gang rendezvoused at the ranch of Cortinas's mother, located a few miles above Brownsville (D, 4). From that place Cortinas issued a proclamation on the 30th of September, 1859. (For a copy, see C, 70.) General Twiggs was written to for assistance, and was informed of the prevailing opinion at Brownsville, "That if there had been government troops in the garrison, such a number of men"—between fifty and a hundred—"could not have been induced to have entered the town" (E, 397).

October, 1859.

2d.—Eleven citizens of Brownsville recounted the Cortinas affair of September 28, and wrote:

> So long as the general government kept a show of its authority by the occupation of its frontier posts along the river, we had no complaint for want of public order or the necessary municipal protection. Now it is different; we have seen that a single Mexican outlaw can raise a crowd in our midst of several hundred desperate, lawless, and licentious beings, and offend with impunity the most sacred laws of security, peace, public order, and civilization itself (C, 20).

8th.—These statements were reported to the President (C, 33, 34, 35).

10th.—A guard of twenty-two paid men were kept at Brownsville (C, 40).

13th.—The governor gave W. G. Tobin authority to raise a company of "one hundred men, for the purpose of assisting the civil authorities in the county of Cameron in quelling the lawless and bloody disturbances at the city of Brownsville." (See annexed paper, 109.) During this time Cortinas continued to rob settlers to supply the wants of his command, &c. (A, 18). Upon visiting Mexico he was treated well by its people (A, 15).

23d.—He fortified his position and stopped travel (C, 47).

24th.—A force composed of Americans and Mexicans attacked him and was defeated, losing two pieces of artillery (C, 44 and 68).

25th.—The War Department directed General Twiggs to "issue the necessary instructions for the immediate reoccupation of Fort Brown by two companies of artillery" (C, 36).

25th.—New Orleans citizens petitioned the President "for immediate government interposition" (C, 36).

26th.—Cortinas threatened to batter down the houses at Brownsville if certain enemies were not delivered into his hands (C, 69).

November, 1859.

1st.—Two companies of regulars at Fort Clark notified to be in readiness to reoccupy Fort Brown (C, 41).

1st.—"The enemy daily increasing" (C, 49).

5th.—Mails stopped and inspected (C, 52).

7th.—Tobin's company *en route* (C, 52).

7th.—Exaggerated statements (C, 49).

9th.—War Department, by telegraph, ordered a company from Baton Rouge to Fort Brown (C, 54).

11th.—General Twiggs magnified the distresses (C, 56).

12th.—Regulars to move in force; Major Heintzelman to command (C, 5[illegible]).

12th.—The grand jury of Cameron County reported "on the disturbance[illegible]" (C, 92).

12th.—Brownsville is safe; one hundred and twenty Texas Rangers arrived (C, 61).

14th.—General Twiggs wrote:

> Carbajal has 500 men opposite the town of Rio Grande City, and is always ready to join any side (C, 56).

17th.—United States troops under Captain Ricketts arrived (C, 62).

21st.—General Twiggs wrote:

> The reports concerning Cortinas prove to be mostly false. The order sending the troops to Brownsville has been countermanded (A, 3).

21st.—Appraiser-General W. P. Reyburn reported the actual condition of affairs as they appeared to an "eye-witness" (C, 64).

22d.—The prompt action of the War Department in dispatching troops reflected honor upon the government. (Hatch, C, 64.)

22d.—Rangers under Tobin, about 250, including Captain Kennedy's and the Indianola company, "again started out to exterminate Cortinas," but were not successful (D, 6).

23d.—"The Cortinas affair is over." (Twiggs, C, 73.)

23d.—Cortinas proclaims, "I am ready for the combat" (C, 80).

23d.—Herald extra: "Cortinas is still carrying on his high-handed outrages." Full particulars (C, 82).

25th.—Letter of this date from Brownsville (C, 84).

26th.—Editorial on Cortinas's last proclamation (C, 78).

28th.—"Nothing reliable from Cortinas." (Twiggs, C, 73.)

28th.—Reliable gentlemen reported particulars to the President (C, 74).

December, 1859.

1st.—Capt. James B. Ricketts, First Artillery, wrote from Fort Brown (C, 76).

4th.—Commissioner Navarro reported that on this date Major Heintzelman "completely routed Cortinas's force" (A, 9; but see 14th).

5th.—Major D. D. Vinton reported information obtained through spies (C, 77).

5th.—Major Heintzelman, with his command of 5 officers and 117

men of the Regular Army, entered Brownsville. In Fort Brown were Captain Ricketts and 48 men of the First Artillery (D, 7).

6th.—Captain Tobin, with about one hundred and fifty rangers, placed himself under Major Heintzelman's command (D, 7).

10th.—"Cortinas has 250 men from Mexico, and is in a stockade nine miles above Brownsville" (C, 86).

14th.—Return of troops of the Brownsville expedition (D, 74, or C, 91). Regulars, aggregate, 165; Captain Tobin's company, Texas Rangers, 65; Captain Tomlinson's company, Texas Rangers, 35; Captain Hampton's company, Texas Rangers, 20.

14th.—Expedition moved against Cortinas's bands and "routed his camps" (C, 87, 89).

15th.—Expedition returned to Fort Brown (C, 87).

16th.—Re-enforcements of regular troops ordered to Brownsville by department commander (C, 88).

19th.—Scouts reported "no signs of any of Cortinas's people" (C, 96).

21st.—Expedition left Fort Brown with additional forces, viz. (C, 97). Major Ford's company of Texas Rangers, 55; Captain Herron's company of Texas Rangers, 30 (D, 72). The enemy was routed, and Major Heintzelman reported "the whole country is laid waste. * * * In Rio Grande City Cortinas plundered the stores and murdered several Americans" (C, 98).

27th.—Cortinas's band supposed to be broken up (A, 9).

27th.—Field return of expedition (D, 72).

28th.—Re-enforcement referred to on 16th ordered relieved from the operations of the order of that d te (C, 98).

30th.—"No more definite intelligence as to the whereabouts of Cortinas" (C, 99).

January, 1860.

12th.—Major Tobin ordered by State commissioners to Brownsville. His command to be mustered out (C, 116). It was "without organization, muster-rolls, or anything like discipline," according to the commissioners' report to the governor (A, 10).

12th.—The State commissioners asked advice of Major Heintzelman concerning the muster-out of Tobin's Texas volunteers (A, 6).

13th.—Evidence of depredations committed by Cortinas's band (C, 123, 127, 128, 129, 130).

15th.—Heintzelman reported:

> The country is full of all sorts of rumors about Cortinas, but they do not merit repeating. Thus far I have not been able to ascertain of there being any force embodied, or even of his having been on this side of the river since the day of his defeat (C, 105).

21st.—Major Heintzelman reached Fort Brown (C, 106).

29th.—He reported the condition of affairs and decided to remain at Fort Brown until the country became more quiet (C, 106).

31st.—State Commissioner Nevarro reported to the governor regarding the situation (A, 4, or C, 117).

February, 1860.

2d.—State commissioners asked Major Heintzelman's opinion "as to what force of Texas rangers will, for the present, be necessary to be kept in service for the protection of the frontier" (C, 118, or D, 62).

2d.—Answer to above: "In my opinion, the two companies of rangers now in the service of the State are sufficient. I have but one company

of cavalry at my disposal, and this force I consider entirely inadequate for the security of the frontier."—Heintzelman (C, 118, or D, 62).

2d.—State commissioners issued special orders to John S. Ford, commanding Texas rangers on the Rio Grande frontier: "From and after this date your movements, and the troops under your command, will be directed by Major Heintzelman, or other commanding officer of the United States Army on this frontier. You will therefore obey all orders emanating from such officer" (C, 119, or D, 62).

2d.—Major Heintzelman acknowledged two volunteer companies of Ford and Littleton as placed under his orders (C, 115).

2d.—Also reported: "With Captain Stoneman's company, and two companies of rangers in service of the United States, I am endeavoring to protect the country as far as Ringgold Barracks." Had "received instructions from the commander of the department to collect the names of the killed and ascertain the damage done by Cortinas and his command" (C, 109).

4th.—Cortinas on the Mexican side fired on Ford's men at La Bolsa; also, upon the steamer Ranchero about half a mile above. Ford decided to cross the Rio Grande (C, 114, or D, 63).

4th.—Heintzelman instructed Ford (D, 96).

4th.—Some rangers under Major Tobin and Captain Tomlinson were fired upon from the Mexican side (C, 115).

5th.—Ford crossed into Mexico; but, upon request of General Garcia, was ordered to return to the Texas side. Garcia was asked to co-operate with United States forces and in putting down the marauders (C, 113; D, 66).

5th.—About this time Cortinas retired to La Mesa, six miles back from the river (C, 137).

5th.—General Garcia expressed "the strongest desire to do all in his power to arrest Cortinas and break up his forces" (C, 111).

5th.—Ford recrossed his forces; they and the regulars all camped together (D, 70).

6th.—Tomlinson's company kept in service by State commissioners. Detachments from it accompanied Ford to Mexico (C, 119, 120).

6th.—Cortinas said to be at Bengos, some ninety miles back of Reynosa (D, 97).

6th.—Tobin to the governor reported concerning his command (C, 119).

6th.—Major Heintzelman wrote to the Mexican military commandant at Matamoras (D, 67).

8th.—The governor issued "general orders to all Texans in the service" concerning the loss of horses or arms, and the enforcement of discipline (C, 144).

9th.—Major Heintzelman exposed the absurdity of "reclamations" made by a Mexican commandant for certain *jacals* burned in Mexico (D, 97).

10th.—Additional regular troops placed at the disposal of Major Heintzelman (C, 112).

14th.—Texas has at this time in the field "a force supposed to amount to near or quite a thousand men, at State expense" (State resolution B, 2).

15th.—The governor, to the Secretary of War, wrote of the deplorable condition of affairs in the State. Indian troubles unexampled in the last ten years, forays from Mexico, and an empty treasury. Apprehended serious results, "should not the federal arm be speedily raised and extended in behalf of our suffering frontier" (A, 19, or C, 116).

15th.—State commissioners to the governor reported the causes, origin, and progress of the disturbances on the Rio Grande (A, 9, or C, 120).

20th.—The governor, to the President, through the Secretary of War, referred to the above report of the 15th, and besought the immediate interposition of the Federal arm in behalf of Texas (C, 131).

21st.—The Secretary of War directed the commanding officer at Fort Bliss, Texas, to protect American citizens in the vicinity of that post against the banditti (C, 131).

24th.—Col. R. E. Lee, commanding Department of Texas, ordered to resort to the most vigorous measures for the capture of Cortinas and his band, and, if necessary, to pursue them beyond the limits of the United States (C, 133).

25th.—Captain Ford reported:

> Cortinas is not at Mesa at present. He received a notice from Matamoras to enable him to be out of the way when the troops from that point should arrive. They are now almost opposite this camp, and will doubtless report their inability to find the redoubtable bandit general. The same farce was enacted by General Garcia, who, notwithstanding he had an interview with Cortinas, avowed ignorance of his whereabouts (D, 71).

28th.—The governor notified: "An officer of great distinction and ability has been dispatched to take command of the Department of Texas. Strong re-enforcements will be sent into Texas soon (annexed paper, 112, or C, 134).

Major Heintzelman reported on the dates following, viz:

29th.—"Cortinas and his followers have dispersed, and I do not believe that another effort will be made by him to collect a force" (C, 137).

March, 1860.

1st.—Full statement of operations on the Rio Grande expedition. "Cortinas was now a great man" (D, 2).

1st.—List of persons killed by Cortinas" (D, 75).

1st.—Damages accrued, $336,826.21 (D, 13), or $336,879.21 (D, 77).

2d.—Col. R. E. Lee, commanding Department of Texas, directed to "notify the Mexican authorities on the Rio Grande frontier that they must break up and disperse the bands of banditti concerned in the outrages which have been committed for some time past in that quarter upon the persons and property of American citizens; and, further, that they will be held by you responsible for the faithful performance of this plain duty on their part" (C, 134).

3d.—The colonel was further directed to employ force to break up the banditti on the Mexican side, if the Mexican authorities failed to do so (C, 134).

5th.—The President sent to the Senate of the United States a communication from the Secretary of War, concerning the hostilities on the Rio Grande (A, 1).

7th.—Reports at Fort Brown "that Cortinas is at the rancho of Reystano, a few leagues above, collecting men to cross over; also, that he slept last night in Matamoras." "Orders to cross after Cortinas, and the arrival to-day of Company G, Second Cavalry, have created much alarm in Matamoras, and may induce the authorities to act more efficiently" (C, 137).

8th.—Col. Harvey Brown was at Brownsville and reported that then "all was quiet on the frontier." The disturbances were believed to be over and Cortinas to have given up the contest and to have retired into

the interior of Mexico. Major Heintzelman has officially reported the war to be ended (C, 139). The correctness of Colonel Brown's report was doubted (D, 93).

8th.—The governor of Texas tendered to the War Department the services of five thousand Texas volunteers (C, 138.)

12th.—Additional regular troops ordered to Texas (C, 139).

12th.—Governor Sam Houston wrote to the President, through the Secretary of War, to vindicate himself from certain misapprehensions, and to obtain, if possible, protection for the frontier, reviewing difficulties past, present, and apprehended (C, 139).

12th.—Colonel Lee wrote:

> I shall proceed at once to the Rio Grande and use every exertion to put an end to these incursions, if they still continue (C, 145).

14th.—The United States authorities to Governor Houston, declined to accept volunteers, and referred to Colonel Brown's dispatch (paper 115, or C, 145).

15th.—Copies of correspondence of 28th February and 8th and 14th March, between the governor and the Secretary of War, sent to the Senate and subsequently printed. (See Senate Document No. 24, first session Thirty-sixth Congress.)

15th.—Colonel Lee wrote at San Antonio: "I take my departure this morning for the Rio Grande" (D, 14).

18th.—United States troops operating in Mexico (D, 79, 80, 81).

20th.—All quiet in the section of country near Fort Duncan (D, 82).

21st.—The United States troops returned to the Texas side. Cortinas at Reynosa (D, 82).

24th.—Major Tobin, of the volunteers, wrote a report to the governor concerning Texas troops that accompanied the regulars into Mexico (D, 99).

26th.—Col. Harvey Brown, at Fort Brown, set forth the correctness of his former report and wrote a detailed statement of the difficulties. Pronounced newspaper reports unreliable, &c. (C, 147).

April, 1860.

2d.—Colonel Lee notified the Mexican authorities of his authority and of their responsibility (D, 84, 102; for reply, see D, 104).

7th.—He also specially notified the civil and military authorities at Reynosa (D, 85). They replied on the 10th (D, 101).

9th.—He issued an order directing his subordinate officers to see that the Mexican authorities fulfilled their obligations (D, 88).

11th.—He, having descended the left bank of the Rio Grande, "found the frontier on the river quiet" (D, 83).

11th.—The governor expressed a desire that the rangers on the Rio Grande should remain under Colonel Lee's orders, provided the general government would assume their payment and subsistence (D, 88).

Colonel Lee wrote:

> I have received no authority from the Secretary of War to receive into the service of the United States any portion of volunteers; and though sorry to part with troops that have performed good and efficient service in the disturbances on this frontier, I am yet unable to retain them on the conditions you propose (D, 89).

The correspondence relative to this class shows that several companies of volunteers operated against Cortinas. They were commanded by Thompson, Ford, Herron, Kennedy, Littleton, Tomlinson, and Hamp-

ton, and one, in addition to these, perhaps, was called the Indianola company.

Claims are submitted for only two companies, and from the vouchers they appear as follows:

1. Captain J. H. Hampton's, thirty-seven men, mustered in by Tobin, twenty-eight on 12th November and nine on the 18th December, 1859; all mustered out January 1, 1860. Concerning the nine men, a pencil-note, which appears on the roll, reads: "By reference to Captain Littleton's first muster-roll it will be seen that these men are placed thereon for the same time of service, consequently they should not appear on this roll." Littleton's roll is not submitted.

2. Captain H. W. Berry's, forty-seven men, mustered in by Tobin, November 10, 1859; mustered out December 20, 1859; organized at Victoria. This company is not referred to in the correspondence above noted.

17th.—"The last reliable account of Cortinas was that he was *retiring* farther into the interior of Mexico. He had with him his family and two men, and was more than one hundred miles from the frontier. General Garcia informed Major Heintzelman, on the 13th instant, that orders had been given by the Mexican authorities to arrest him (Cortinas) wherever found" (D, 100).

The origin of the Cortinas difficulties is accounted for as follows:

"The origin of the difficulty is owing to a falling out between parties mixed up with private affairs, and is so complicated that it is difficult to ascertain the truth, no doubt much exaggerated, and not improved by demonstrations on the part of some rangers and citizens who have effected nothing as yet."—Ricketts, December 1, 1859* (C, 76). Captain Ricketts was the first United States commandant who arrived at Brownsville after the disturbances commenced.

CLASS IX.

Indian depredations, 1860

February 3, "animals of residents in the immediate vicinity of Camp Colorado, driven off."

Night of the 17th, "mule-yard at Camp Cooper, over which a sentinel was posted, was broken in and the whole herd driven off. Twenty-three of the animals were recovered by a party sent at daylight in pursuit, but the remainder, forty mules and three horses, were not overtaken. The force at the post was so much reduced by scouts then out that the detachment sent under Lieutenant Love, adjutant of the regiment, was principally composed of the band. The following night all the animals from the Indian agency, two or three miles distant from Camp Cooper, were stolen." * * * "A citizen residing within two miles of Fort Mason was shot, within one hundred yards of his house, by three Indians on foot." * * * "The troops in the department are posted over a long line of frontier, and yet, from the paucity of their numbers, are unable to protect the settlements." (R. E. Lee, page 135, House Executive Document 52, first session Thirty-sixth Congress.)

On the 7th of this same month "there came fifteen Indians into the neighborhood of Robert Martin, attacking several families, which were defended by brave spirits of the frontier." The Indians, however, killed two women and took two more away as captives. The latter subse-

* We have come to the conclusion, from our observation and from testimony of divers persons, that the difficulty was originally occasioned by a private feud between Juan Nepomuceno Cortinas and sundry individuals of the county of Cameron (C, 120, 124, State Commissioners' Report; also C, 135).

quently made their escape, "and reached the settlements entirely naked." (See pages 8 and 9, House Report No. 535, of the Committee on Indian Affairs, first session Thirty-sixth Congress.)

March 8, Major Van Dorn, at Fort Mason, wrote concerning reports of Indian depredations committed in that vicinity, and referred to the reduced force under his command and to their inefficiency for service. (Page 79, House Executive Document No. 81, first session Thirty-sixth Congress.)

March 9, the governor issued an order that "the chief justice of each county in danger from the Indians will organize a minute-detachment in his county," to protect the inhabitants of their respective counties from Indian incursions. (Page 143, House Executive Document No. 52, first session Thirty-sixth Congress.)

March 12, the governor explained his position in relation to calling out volunteers, and wrote:

> I cannot but urge most earnestly the calling out of a regiment of rangers by the Federal government to protect the lives and property of our citizens. (*Ibid.*, 139-142.)

By an act of Congress approved April 8, 1858, a regiment of Texas volunteers was authorized; but, as an appropriation for the support of such an organization did not appear, that force was not raised. Hence the correspondence in relation to an appropriation sought in 1859, found in papers 98 to 102, hereunto annexed.

April 13, E. W. Cave, secretary of the State, wrote to Hon. John Hemphill:

> Notwithstanding the fact that we have now in the field a minute-detachment in almost every frontier county, the depredations continue.
>
> The utmost vigilance is kept up; active scouts are continually out in about twenty counties, besides the force which has been sent from the interior, but Indians still are seen and losses are daily reported.
>
> About five hundred men will make an expedition against the Indians, starting from Fort Belknap on the 1st of May.
>
> Texas has now over one thousand men in the field. The treasury will not hold out long if this drain upon it continues.
>
> * * * * * * * *
>
> The people look to Congress for aid. (See page 105, House Executive Document No. 81, first session Thirty-sixth Congress.)

April 14, Governor Houston wrote a lengthy communication to the Secretary of War, dwelling upon the efficiency of Texas Rangers when operating against Indians, showing his views of the necessity for their employment, and informing the general government that the State at that time employed the following, viz:

23 detachments of 15 men each, with a reserve of ten men each, force	575
3 companies of 70 men each, force	210
4 companies of 40 men each, force	160
4 companies of 90 men each, force	360
34 organizations, total force	1,305

He deplored the misfortunes of the bleeding frontier, and stated:

> Believing that when the facts are presented to Congress, the dictates of humanity will rise above all party or personal considerations, I yet look for aid from that quarter. The American heart must feel for a people of like race and kindred; and though sectional considerations may prevail at times, they will, I believe, be forgotten when the catalogue of barbarities by which our frontier has been devastated is remembered. (*Ibid.*, 90-95.)

Notwithstanding the statement above, that thirty-four organizations, making an aggregate force of one thousand three hundred and five men, were employed during the times referred to in this class of facts, yet,

upon turning to the vouchers or rolls submitted by the State, only one company appears. It is reported as follows:

Officers and enlisted men.	Aggregate force.	Enrolled or mustered in.	Discharged.
Captain Ed. Burleson	1	Bet'n Jan. 1 and June 1, 1860.	Sept. 7, 1860.
First Lieutenant J. E. McCord	1	....do	Do.
Second Lieutenant James Carson	1	....do	Do.
Surgeon J. G. Burbec	1	....do	Do.
Enlisted men	75*	....do	Do.

It is stated on the roll that this company was called into the service of the State by order of Governor Houston. Nothing further concerning the history of this company, or of the thirty-three organizations necessary to make the total employed, appears in the evidence found.

THE ACCOUNTS.

The foregoing remarks exhibit the character of the troops and the circumstances under which they were employed; also, a history of their services, so far as the facts are ascertained.

With a view to a settlement of a part of the claims now under consideration, preliminaries were entered into before the rebellion existed; and, in order to show how far they were advanced, a speedy review of certain facts is necessary.

A resolution of the legislature of Texas, approved November 23, 1857, inaugurated the project of seeking from the United States reimbursement of expenditures made by the State on account of its rangers or volunteers. (See paper 79.)

The State comptroller prepared a statement 18th of September, 1858, showing the following amounts appropriated:

Paid	$148,998 75
Assumed by State	35,545 76
Making the claim	184,544 51

All "for the pay, subsistence, and forage of volunteer troops called into service for the protection of the frontier, since the 28th day of February, 1855." (See pages 44–47, House Executive Document No. 27, second session Thirty-fifth Congress.) The governor inclosed this statement to the Secretary of War on the 8th of October, 1858, and sought reimbursement to the State. (Paper 92.)

The claim having reached the Capitol, the committees in Congress to whom it was referred called upon the Secretary of War for official information concerning the troops. Several attempts appear to have been made to furnish in return a "copy of everything" connected with the case. (See papers 98–102, 116.)

On the claim above referred to a favorable report was made by the House Committee on Military Affairs January 28, 1859, apparently ignoring the fact that the six companies that were under General Smith had already been paid by the United States Government for the time subsequent to muster into United States service. (See No. 143, Reports of Committees, second session Thirty-fifth Congress.)

An act of Congress shortly appeared, approved March 3, 1859, to reimburse the amount paid by the State on account of the six companies called out by General Persifer F. Smith. (Stat., 10.) As that act could not satisfy more than one-third of the claim, the matter was again agitated during the first session of the Thirty-sixth Congress, and caused some correspondence. (See papers 113, 114, and 116.) Then appeared section 6 of the act of June 21, 1860, specifying that "all moneys advanced by the State of Texas in payment of volunteers called out in defense of the frontier of that State since the 28th of February, 1855," shall be reimbursed: "*Provided*, The Secretary of War shall be satisfied that there was necessity for calling out these troops, or that they were called out by competent authority, and that the amount so claimed was actually paid by the said State, and that the amount hereby provided for shall not exceed the sum of..... $123,544 51"

This amount was specified because the appropriation of March 3, 1859, for the six companies, covered the sum of..... 61,000 00

And these two amounts taken together made the total claimed..... 184,544 51

This department called upon the State authorities for a full statement of the account, sustained by original vouchers. (See paper 117, September 11, 1860.)

Regarding the proviso to section 6, act of June 21, 1860, Secretary Floyd decided that he was "satisfied that there was a necessity for calling out the Texas volunteers mentioned," and he instructed the Second Auditor to audit the State claim as soon as the proper vouchers were received by him. (See paper 118, of November 15, 1860.)

The Second and Third Auditors submitted their reports upon charges in the claim pertaining to their offices, respectively, under date of February, 1861. The Auditors objected to the character of the vouchers, and called for additional evidence or information, and their reports were approved by the Secretary of War during the same month. (See papers 121 and 122.) The State comptroller asked the return of all the papers in the case on the 23d of February, 1861, and nearly all of them were returned. (See papers 123, 124.) The breaking out of the rebellion shortly put an end to further negotiations, and for ten years the papers were buried as archives of the State.

In 1871 they were resurrected, and the annexed papers (127–135) show the official action taken on the case under the last presentation.

The claim upon which Congressional legislation was had up to 1861 amounted to.....		$184,544 51
The abstracts now submitted have dropped this total appropriated by the State, and, instead, have taken up the amount paid therefrom, viz.....	$152,274 66	
To this has been added amounts not heretofore considered, viz:		
For payments to companies of Bourland, Brown, and Ford.....	57,382 33	
And for advances made for services on the Rio Grande.....	13,354 77	
Thus increasing the former claim by this amount.....		38,467 25
And making the total of the present claim.....		223,011 76

Passing to the accounts, let them be audited with suppositions of the following:

First. That a law authorizes their settlement on just and equitable principles.

Second. That proof of loyalty is waived by an act of Congress.

Third. That the decision given concerning the necessity for calling out the troops referred to in the first claim is satisfactory.

With these suppositions adopted, the accounts, correctly audited under existing rules, will show the following:

CLASS I.

On the 14th January, 1856, the State appropriated $61,000 on account of the six companies of volunteers called out by General Persifer F. Smith, of the United States Army.

On the 18th September, 1858, in rendering an abstract of the expenditures made from the amount appropriated, the State comptroller represented that these companies were called into service on the date when they were mustered into the service of the United States; and from said abstract, as printed on pages 44 to 47 of Executive Document No. 27 (H. R.), Thirty-fifth Congress, second session, it would at once be inferred that the State paid these companies for the identical time they were in the United States service, and for which, I have stated heretofore, they had been already or (up to the 30th June, 1859) were being paid by the general government.

Upon referring to the papers accompanying the claims filed, it is found that the State paid for expenses alleged to have been incurred prior to the said time, as an analysis of the accounts will now show:

Capt. Giles S. Boggess's company.

Voucher.

1. G. S. Boggess, pay and allowances as captain for three months. Dates of service not stated. Payment made April 1, 1856. Amount..... $333 10

On the 4th of February, 1856, Boggess was appointed agent to pay the members of his company who were mustered into State service November 2, 1854, under a requisition from General Smith, they to be paid at the same rate per month "as they were afterward paid by the United States while in their service."

In the written instructions, given to this agent by the governor of Texas, the following appears:

"Any assignment from any member of said company of his pay which does not show on its face that the assignor knew at the time of its execution that he was entitled to three months' pay from the State will only be recognized as conveying to the assignee the pay due the assignor for the time he was actually in the service of the State, which time of service was, for the members of your company, one month and twenty-one days." (See paper No. 66.)

From these instructions it is inferred that the members of the company had claims against the State for a time when they were not in any service, which time was prior to the date of General Smith's call of November 1, 1854, and that if any individual, unfortunately for himself, overlooked such claims, then he was to be paid only for the time intervening between the date of call (or the date when the organization was accepted by the governor) and the date of muster into United States service, *i. e.*, one month and twenty-one days, because that was the time he was "actually in the service of the State."

It is remarkable, however, that not one of the members overlooked the importance of making a full claim, or that, if he did so, his friend, who was captain, paymaster, and agent, did not; for, with powers of attorney from twenty-seven members of the company, the captain set out by drawing three months' pay and allowances, and every member followed in his wake. As a general rule, the United States Government pays only for services rendered or for the time a person or party

Voucher.

is actually employed in its service. As General Smith's call was made on the 1st of November, 1854, and this company was mustered into State service on the day following that date, the inference to be drawn is that the United States Government is responsible for the pay and allowances accruing to the members of this company and for expenses properly incurred on its account from the 2d day of November, 1854, as it was then organized and recognized by the governor under General Smith's call. In view of the foregoing facts, this amount being for services for one month and twenty-one days immediately prior to December 23,* 1854, should be allowed $216 75

The balance claimed on this voucher, including 60 cents overcharged on servants' clothing, being an improper charge against the United States, should be disallowed 166 36

2. C. J. Garrison, second lieutenant $338 10

As on voucher 1, except that this amount should be allowed 191 25

And this disallowed 146 85

3. Eli Wood, first lieutenant $323 10

As on voucher 1, except that this amount should be suspended for want of the name and description of the officer's servant 182 75

And this disallowed 140 35

4. Pay-r ll of enlisted men:

Dates of service not stated $6,355 10

Add for error, in addition 77 10

Amount of voucher 6,432 20

Item 1. William C. Wright, first sergeant 104 50

Item 2. J. W. Shelton, sergeant 95 50

Item 3. P. G. Whetstone, sergeant 95 50

Item 4. R. W. Hall, sergeant 95 50

Item 5. J. T. Rankin, corporal 83 10

Item 6. Alex. Earp, corporal 83 10

Item 7. George S. Powell, corporal 83 10

Item 8. James L. Powell, corporal 83 10

Item 9. G. W. Jones, bugler 80 50

As on voucher 1, except that this money should be allowed 455 36

And this disallowed 348 54

Item 10. J. F. Walker, bugler $80 50

Not receipted; amount not embraced in total charged; no action required.

Items 11-52, 54, 55, and 57-85 are for pay and allowances for seventy-three privates, at $77.10 each $5,628 30

As on voucher 1, except that this amount should be allowed 3,189 37

And this disallowed 2,438 93

5. G. S. Boggess, services as paymaster or agent, for paying off volunteers, dates of service not stated, 5 per cent. commission for disbursing $15,114 ..... $755 70

A copy of the appointment of Boggess is filed. It states that on a settlement of his accounts with the comptroller, a "reasonable compensation" will be allowed. No receipt is submitted, but a certificate of the comptroller states, under date of February 28, 1860, "receipt of Giles Boggess for the above amount of $755.70 is on file."

The expense of employing an agent to pay these troops for services after November 2, 1854, was a contingency necessarily coupled with their employment; therefore this voucher is admissible for 5 per cent. on the amount favorably considered by the United States on payments made by Boggess for or on account of his and Walker's company, as the paymaster's duties specially pertained to said companies.

The amount found admissible is $6,511.53, and the per cent. thereon is a proper charge, but should be suspended for want of a proper receipt and until the vouchers paid by him are perfected 325 58

The balance charged on this voucher, being an improper charge against the United States, should be disallowed 430 12

6. Thomas M. Likens, services rendered the State of Texas in raising and mustering into service a company of rangers in the year 1854.. $50

The charge is indefinite as to the time and company. Dates of service and rate of compensation are not stated, and the necessity for the expense is not apparent. The amount should be disallowed 50 00

* Date when mustered into the United States service.

Voucher.

7. O. B. Wade, two and one-half months' service as acting assistant surgeon, at $100 ..... $250 00
The receipt is informal. Orville B. Wade was a private in Boggess's company, and the charge for him was considered as item 85, of voucher 4. This amount should be disallowed..... ..... $250 00

8. Andrew J. Miller, services as contract physician for Boggess's company, from November 2 to 17, 1854, fifteen days, at $100 per month $50 00
The original contract is filed, accompanied with a receipt of John C. Miller, as administrator of A. J. Miller, deceased. The charge is reasonable and rests within the scope of time for which reimbursement of pay and allowances, on account of this company, is suggested, and, if that suggestion shall be favorably considered, this amount should be allowed..... 50 00

9. N. W. Ray, three months' extra duty, pay as blacksmith and farrier $36 00
This man's name is found in item 11 of voucher 4.
The duty above mentioned was that for which he was borne upon the roll, not extra duty, but regular duty.
This amount, being an improper charge, should be disallowed 36 00

10. D. M. Fields, 36 bushels corn, furnished for the companies of Captains Boggess and Fitzhugh on the 2d December, 1854; price per bushel, $1.75 ..... 63 00

In connection with this charge, the following appears in a report dated Treasury Department, Third Auditor's Office, February 23, 1861, viz:

"The circumstances of the raising, organizing, and muster into service of the above six companies are set forth in my report to the Secretary of War upon the claim of S. M. Swinson, of Austin, Tex., dated June 5, 1855, which is submitted herewith.

"That claim was under a contract, dated October 30, 1854, with E. M. Pease, governor of Texas, for supplying said companies with subsistence, forage, and medicines, camp equipage, stationery, ammunition, and transportation, from the date of said contract until the companies were mustered into the service of the United States, and was paid through this office in June and August, 1855, amounting to $20,990.69.

"Of course, any part of the present claim of the State for supplies that were furnished said companies to the extent they were entitled to, according to existing regulation, ought not to be allowed.

"Approved.

"J. HOLT, *Secretary of War.*"

In view of the foregoing decision this amount should be disallowed.. $63 00

11. M. J. Brinson, wagon and team employed from 1st to 22d December, 1854, transportation of baggage for Boggess's company, 22 days, at $7 per day $154 00

12. George W. Sevier, December 3, 1854, 36 bushels of corn, at $1.50..... 54 00
George W. Sevier, December 3, 1854, 600 pounds beef, at 4 cents..... 24 00
As on voucher 10, should be disallowed..... 222 00

13. Giles S. Boggess, for transportation of company baggage from rendezvous to Austin, place of muster, two teams 15 days, at $6 each..... $180 00
This charge, being for expenses incurred prior to November 1, 1854, should be disallowed. (See also remarks on voucher 10)..... 180 00

14. J. B. Stephen, December, 1854, 36½ bushels corn, at $1.25..... $45 62
15. Silas Baggart, December, 1854, 36½ bushels corn, at $1.25.... 45 95
15. Silas Baggart, December, 1854, 130 pounds meal, at $1.25 per bushel 3 30
16. E. H. Harrington, December, 1854, 36½ bushels corn, at $1.50.. 54 75
17. B. D. Arnold, December, 1854, 5 bushels meal, at $1.20..... 6 00
18. S. P. Ross, December, 1854, ferriage..... 24 30
18. S. P. Ross, November, 1854, ferriage..... 35 00
19. E. Linkenhoger, December, 1854, 36½ bushels corn, at $1.25... 45 62
19. E. Linkenhoger, December, 1854, 7 bushels meal, at $1.25.... 8 75
19. E. Linkenhoger, December, 1854, 200 pounds beef, at 5 cents. 10 00
20. J. D. Blair, December, 1854, 36½ bushels corn, at $1.25..... 45 62

Voucher.

20. J. D. Blair, December, 1854, 215 pounds beef, at 10 cents..... $21 50
21. J. S. Blair, December, 1854, 15 bushels meal, at $1.25..... 18 75
22. M. L. Durham, November 26 to December 13, 1854, soap, $9.50; vinegar, $15.75; rice, $19.12; and candles, $9.50..... 53 87
22. Mr. L. Durham, December 10, 1854, 474 pounds beef, at 5 cents..... 23 70
22. Mr. L. Durham, December 10, 154, 73 bushels corn, at $1.15.. 83 95
23. Simeon Mixon, December 7, 1854, 36½ bushels corn, at $1.50.. 54 75
23. Simeon Mixon, December 7, 1854, 445 pounds beef, at 5 cents. 22 25
24. W. Ferrel, December 1, 1854, 38 bushels corn, at $1.25..... 47 50
25. M. T. Johnson, December 1, 1854, 187½ bushels corn, at $1.50. 281 25
1,404 pounds beef, at 5 cents..... 70 20
40 bushels meal, at $1.50..... 60 00
201 pounds coffee, at 30 cents..... 60 30
298 pounds sugar, at 18 cents..... 53 64
140 pounds salt, at 8 cents..... 11 20
7 pounds candles, at 70 cents..... 4 90
14 pounds soap, at 30 cents..... 4 20
As on voucher 10, should be disallowed..... $1,196 87
25. (In part.) M. T. Johnson, December 1, 1854, for 3¾ pounds horseshoe nails, at 50 cents..... $1 87
Certified to by lieutenant as quartermaster.
Comptroller of State, in March, 1860, certified that receipt for amount was on file in his office at that time. Said receipt is not submitted; otherwise this is a proper charge, but should be suspended for want of a proper receipt..... 1 87
26. S. McElrath, services as private, formed item 53 of voucher 4, not there paid..... $77 10
27. C. H. Morrell, services as private, formed item 55, voucher 4, not there paid..... 77 10
The State comptroller, February 29, 1860, certified that receipts for the amounts paid these men were then on file in his office. Said receipts are not produced; otherwise the remarks on voucher 1 are applicable to these vouchers, except that this amount should be suspended for want of proper receipts..... 87 38
And this disallowed..... 66 82

John G. Walker's company.

1. Pay-roll of officers and enlisted men, dates of service not stated..... $6,392 20

Receipts for the amounts alleged to have been paid on this voucher do not appear. Their absence is explained by an affidavit, in which Giles S. Boggess, paymaster, swears that the original muster-roll of John G. Walker's company was either stolen, taken out of his possession without his knowledge or consent, or lost, since which time he has not seen or heard of it; that the voucher upon which this affidavit is written contains a true statement of the number of men and their names composing the said John G. Walker's company at the time the muster-roll was lost; also the amounts paid and amounts still due as set down opposite each name; and that this voucher is, to the best of his knowledge and belief, a faithful copy of said lost roll. An act of the legislature of Texas, approved August 25, 1856, for the relief of Boggess (see paper 138), authorized a settlement to be made with him upon his presenting, under oath, to the State comptroller the facts above set forth, with a copy of the lost roll or voucher, said voucher, when so submitted, to be received in lieu of the original roll, and the amount returned by said Boggess as paid to be passed to his credit upon the books of the comptroller's office.

In the act measures were adopted to guard against fraud, and the conditions upon which Boggess was to find relief were complied with by him.

Item 1. John G. Walker, pay and allowances as captain for three months..... $383 10

Remarks.—On the 4th February, 1856, Giles S. Boggess was appointed agent to pay Walker's company at the same rate per month as "they were afterwards paid by the United States while in their service."

Voucher.

In the written instructions given to this agent by the governor the following appears:

"Any assignment from any member of said companies of his pay which does not show on its face that the assignor knew at the time of its execution that he was entitled to receive three months' pay from the State will only be recognized as conveying to the assignee the pay due the assignor for the time he was actually in the service of the State, which time of service was, for the members of Captain Walker's company, one month."

Upon referring to the remarks for voucher 1 for Boggess's company, it will be understood why the governor considered this company (Walker's) entitled to pay for only one month. The reason was because he believed that this, and no more, was the time it was "actually in the service of the State," though it seems he made an error of one day in favor of the company.

As a general rule, the United States Government pays only for services rendered or for the time a person or party is actually employed in its service. As General Smith's call was made on the 1st November, 1854, and this company was mustered into State service on the day following that date, the inference to be drawn is that the United States Government is responsible for the pay and allowance accruing to the members of this company, and for expenses properly incurred on its account, from the 2d day of November, 1854, as it was then organized and recognized by the governor under General Smith's call.

Powers of attorney, filed in connection with payments made for members of this company, are, in several instances, informal, in this, that they are not witnessed as required by law, and are not attested by the certificate and seal of the clerk of a court of record to show the standing of certain magistrates who administered oaths. It is inferred that these informalities cannot now be remedied by the State authorities, and therefore this objection should be waived.

Conclusion.—In view of the facts herein found, this amount, being for services for twenty-nine days immediately prior to December 1, 1854, is admissible, but should be suspended for want of a description of the officer's servant and for a proper receipt $123 25

The balance claimed on this item, including 60 cents overcharged on servant's clothing, being an improper charge against the government, should be disallowed 259 35

Item 2. T. H. Garrett, first lieutenant $323 10

For the reasons set forth in the remarks for item 1, above, this charge for three months' service is admissible only for the twenty-nine days immediately preceding December 1, 1854. A proper receipt for the money is filed and the officer's servant is described.

This amount should be allowed 103 92

And this, including 60 cents overcharged on servant's clothing, being an improper charge, should be disallowed 219 18

Item 3. Mercer Fain, second lieutenant $308 10

Remarks and conclusion, as on item 1, except that this amount should be suspended 99 08

And this disallowed 209 02

Item 4. P. H. Work, first sergeant $104 50
Item 5. H. B. Pedigo, sergeant 95 50
Item 6. J. B. F. McCartney, sergeant 95 50
Item 7. L. B. Wood, sergeant 95 50
Item 8. M. J. Bean, corporal 83 10
Item 9. William F. Scott, corporal 83 10
Item 10. In part, Pleasant Wright, corporal 27 70
Item 11. H. H. King, corporal 83 10
Item 12. B. K. Riggs, bugler 80 50
Item 13. F. J. Garrett, bugler 80 50
Item 14. T. M. Burke, farrier and blacksmith 77 10

Remarks as on item 1.

Conclusion.—This amount should be suspended for want of proper receipts 309 82

And this, being an improper charge against the United States, should be disallowed 596 20

Items 17, 18, 20, 21, 22, 24, 25, 26, 29, 30, 32, 33, 34, 36–52, 54, 55, 56, 57 in part, 59, 60 in part, 61–75, 76 in part, and 78–82, for services of fifty-seven privates $4,240 50

Remarks as on item 1.

Voucher.

Conclusion.—This amount, being for 57 privates, at $24.84½ each, should be suspended for want of proper receipts $1,416 07

And this, being an improper charge against the United States, should be disallowed 2,824 43

Items 16, 23, and 58, for services of 3 privates $231 30

As the names of the men charged for do not appear on rolls signed by mustering officers, this amount, being an improper charge against the United States, should be disallowed 231 30

Items 19, 27, 28, 31, 53, 60 in part, 76 in part, 84 and 85, represented to have been paid by the State treasurer, are deducted; and items 28½ 35, 77, and 83 are not charged on the roll; therefore, no action is here required on them.

2. Wright, Pleasant, corporal; balance of pay and allowance ... $55 40

Favorable consideration having been given for the time this man actually served, prior to December 1, 1854 (see voucher 1, item 10), this amount is an improper charge against the government, therefore should be disallowed 55 40

3. Bird, Milton, private, pay and allowances for three months... $77 10
4. Clark, E. S., private 77 10
5. Close, E. S., private 77 10
6. Dye, John, private 77 10
7. Lyons, L. P., private 77 10

Remarks as on item 1, voucher 1.

Conclusion.—The State comptroller certified in February, 1860, that the receipts of these parties were then on file in his office. Said receipts are not produced. This amount should be suspended for want of proper receipts 124 22

And this, being an improper charge, should be disallowed 261 28

8. McKenzie, G. W., private, balance of pay $51 40
9. Waldert, Edward, private, balance of pay 51 40

As on voucher 2, except in these cases, see items 60 and 76 of voucher 1, should be disallowed 102 80

10. Wilburn, F. G., private, pay and allowances for three months. $77 10
11. Yarborough, William H., private 77 10

Remarks and conclusion as on vouchers 3 to 7, except that this amount should be suspended 49 69

And this disallowed 104 51

12. James R. Arnold, pay for services for enrolling, organizing, and mustering Captain Walker's company $50 00

The State comptroller certified, February 28, 1860, that "receipt of William C. Pollock, attorney, for the above amount of $50, is on file." Said receipt is not produced.

Governor Pease indorsed on the back of the voucher, August 16, 1856, "General R. Arnold was appointed by me to enroll the company of volunteers that was mustered at Nacogdoches in October, 1854, under the call of General P. F. Smith, and performed that duty."

General Smith's call was made on the 1st November, 1854, therefore the amount of this voucher, being for services prior to that date, is an improper charge against the United States; therefore should be disallowed .....

13. Mercer Fain, services of wagon and team for Captain Walker's company, from the 17th October to 30th November, 1854, inclusive, 45 days, at $6 ..... $270 00

For Captain Henry's company from the 1st December to 13th December, 1854, inclusive, 13 days, at $6 ..... $78 00

Certified to as correct and just by Captains Walker and Henry, and receipted for by A. A. Muncey, attorney. Power of attorney is filed, but is not witnessed, and not attested by the clerk of a court of record. The services alleged to have been rendered prior to November 2, 1854, do not constitute proper charges against the United States, and for transportation furnished subsequent to that date, see remarks for voucher 10, of Boggess's company.

This amount, being an improper charge, should be disallowed 348 00

14. John Twohig, fuel furnished $207 00

The voucher is certified to as correct and just by Captain Walker, commanding battalion Texas Mounted Volunteers, but dates of service are not stated. Comptroller Johns certified, March 1, 1860, that the receipt of S. M. Swinson, assignee of John Twohig, for the sum of $207, was then on file; said receipt is not submitted. S. M.

Voucher.

Swinson was a contractor in connection with these troops. His bills, to the extent of $20,990.69, were paid by the United States in 1855. (See voucher 10, Boggess's company.) The informalities appearing on this voucher are sufficient to insure a disallowance of the amount $207 00

15. James G. Swisher, ferriage for companies of Walker, Travis, and Rogers, November 11, 1854 ..... $28 20

Certified to by assistant quartermaster; approved by State adjutant-general.

The State comptroller certified, March 3, 1860, that a receipt for the amount was then on file in his office; said receipt is not submitted. A contractor, Swinson, was bound to furnish transportation for these companies after October 30, 1854, and in 1855 he was paid therefor by the United States. Ferriage is an item of transportation; therefore this amount, being an improper charge, should be disallowed. (See voucher 10, Boggess's company) 28 20

16. Orange Wright; services as guide and trader; dates of service not stated $25 00

Captain Walker certified, April 7, 1855, that the services charged for were performed, "amounting to a month's time in all, and while stationed at Fredericksburg."

The original receipt is not submitted, but Comptroller Johns certified, March 3, 1860, "that the receipt of Orange Wright for the sum of $25 is on file in said (his) office.

The informalities appearing on this voucher are sufficient to warrant a disallowance of the amount 25 00

17. John Work, surgeon: services rendered to the battallion of Texas Mounted Volunteers, three months, from 1st November, 1854, $300 00.

There is nothing filed to show that he was mustered into service or that he was employed as a contract physician, therefore the amount of this voucher should be disallowed 300 00

W. R. Henry's company.

1. Pay-roll of enlisted men, dates of service not stated $6,074 08

Item 1.	G. B Layton, first sergeant, pay and allowances for three months	$104 50
Item 2.	W. D. Morrow, sergeant	95 50
Item 3.	W. B. Flemming, sergeant	95 50
Item 4.	George W. Russell, sergeant	95 50
Item 5.	R. Augustine, corporal	83 10
Item 6.	Sanford Brown, corporal	83 10
Item 7.	Riley Lewis, corporal	83 10
Item 8.	Leonard Moss, corporal	83 10
Item 9.	Henry Aloff, bugler	80 50
Item 10.	B. M. Fleming, bugler	80 50

Powers of attorney filed in connection with payments made for members of this company are, in several instances, informal, in this, that they are not witnessed as required by law, and are not attested by the certificate and seal of the clerk of a court of record to show the standing of certain magistrates who administered oaths. It is inferred that these informalities cannot now be remedied by the State authorities, and therefore this objection should be waived; otherwise the remarks for voucher 2 are applicable to these items, except that this amount should be allowed 412 56

And this disallowed 471 84

Items 11–37, 39–44, 47, 49–52, 54–72, 74–79, and 81–85, for services of 68 privates $4,985 80

As on items 1 to 10, next above, except that this amount, being for 68 privates, at $35.98 each, should be allowed 2,446 64

And this should be disallowed 2,539 16

Items 38, 53, 86, and 87, for services of four privates..... $203 88

As the names of the men charged for do not appear on the rolls signed by mustering-officers, this amount, being an improper charge against the United States, should be disallowed 203 88

Items 45, 46, 48, 73, and 80, for the several amounts of which receipts do not appear, are deducted from the roll, and therefore require no action.

Voucher.

2. W. R. Henry, pay and allowances as captain for three months; dates of service and name of servant not stated; payment made April 15, 1856 ..... $382 50

On the 10th April, 1856, John D. Pitts was appointed agent to pay W. R. Henry's company, "which was enrolled at the town of Goliad, in the month of October, 1854, for three months' service," the members of the company to be paid the same as allowed by law and regulations of the United States to mounted volunteers. In the written instructions given to this agent by the governor the following appears (see paper 70): "You will recognize no assignment from any member of said company as conveying more than his pay for one month and fourteen days, unless it shall appear from said assignment that the assignor knew that he was entitled to receive three months' pay and intended to convey that amount.

Upon referring to the remarks for voucher 1, for Boggess's company, it will be understood why the governor considered this company (Henry's) entitled to pay for only one month and fourteen days. The reason was because the governor believed that this and no more was the time it was "actually in the service of the State," though its seems he made an error of two days in favor of the company.

As a general rule, the United States Government pays only for services rendered or for the time a person is actually employed in its service.

As General Smith issued his call on the 1st November, 1854, and this company was mustered into State service on the day following that date, the inference to be drawn therefrom is that the United States Government is responsible for the pay and allowances accruing to the members of this company, and for expenses properly incurred on its account from the 2d day of November, 1854, as it was then organized and recognized by the governor under General Smith's call.

In view of the foregoing facts, it is suggested that this amount, being for services for one month and twelve days immediately prior to December 14, 1854, should be suspended for want of a description of the officer's servant 178 50

The balance claimed on this voucher, being an improper charge against the United States, should be disallowed 204 00

3. S. A. Jackson, first lieutenant $322 50

as on voucher 2, except that this amount should be suspended 150 50

And this disallowed 172 00

4. William Tom, second lieutenant $307 50

as on voucher 2, except that here the officer's servant is described, and that this amount should be disallowed 143 50

And this amount should be disallowed 164 00

5. John D. Pitts, services as paymaster or agent for paying off W. R. Henry's company; dates of service not stated; 5 per cent. commission for disbursing $7,280.27 ..... $364 01

A copy of the appointment of Pitts is filed. (Paper 70.) It states that, on a settlement of his accounts with the comptroller, a "reasonable compensation" will be allowed. A receipt for the money is not produced, but a certificate, signed by Comptroller Johns, February 29, 1860, states: "Receipt of John D. Pitts is on file." The expense of employing an agent to pay these troops for services after November 2, 1854, was a contingency necessarily coupled with their employment, therefore this voucher is admissible for 5 per cent. on the amount favorably considered by the United States on payments made by Pitts for or on account of this company. Of the amount paid by him $3,331.70 is so considered, and the per cent. thereon is a proper charge, but should be suspended for want of a proper receipt 166 58

The balance charged on this voucher, being an improper charge against the United States, should be disallowed 197 43

6. John S. Ford, pay for organizing a company of Texas Rangers at Goliad $50 00

The charge is indefinite as to time and company, dates of service and rate of compensation are not stated, and the necessity for the expense is not apparent. The amount should be disallowed 50 00

7. James M. Latten, medical attendance on A. W. Sims and A. J. Lee, from November 7 to 20, 1854 ..... $96 00

The two men above mentioned were mustered in as privates of the company. The doctor swears to the correctness of his bill, and it

Voucher.

bears the approval of the adjutant-general of the State. In the absence of a receipt for the money Comptroller Johns's certificate appears, under date of March 3, 1860, that the receipt was then on file in his office. This voucher duplicates, in part, the charges in voucher 12, and the duplication of this voucher should be disallowed, for the reason that here no approval of a company officer appears. The charges rest within the scope of time for which reimbursement of pay and allowances on account of this company is suggested. This amount is deemed a proper charge, but should be suspended for want of a proper receipt..... $50 00

The balance, being an improper charge, should be disallowed..... 46 00

8. Mrs. S. A. Glasscock, for boarding Wyatt Hanks during illness, from November 10 to December 4, 1854..... $24 00

Samuel January, during illness, from November 10 to 24, 1854. 14 00

The State comptroller certified, March 3, 1860, that a receipt for this amount was then on file in his office. Said receipt is not submitted. Hanks having been mustered into service, the charge for him should be suspended, for want of a proper receipt. (See remarks on voucher 7, above)..... 24 00

As Samuel January's name does not appear on the muster-rolls signed by mustering officers, the charge for him should be disallowed, the same being an improper charge against the United States. 14 00

9. Robert Augustine, services as expressman on or about November 1, 1854, under a contract with Captain Henry..... $30 00

In the absence of a receipt for the money paid to an attorney on this voucher, Comptroller Johns's certificate appears, under date of March 3, 1860, to show that a receipt was then on file in his office. The power of attorney does not bear the certificate and the impress of a seal of a court of record to show the standing of the justice of the peace who administered the oath. A copy of the contract is not filed. As the man whose services are charged for was borne on the company's roll and an award for his services has been suggested on voucher 1, this charge should be disallowed..... 30 00

10. William B. Fleming, services as expressman on or about November 1, 1854, under a contract with Captain Henry..... $30 00

In the absence of a receipt for the money paid, Comptroller Johns's certificate appears, under date of March 3, 1860, to show that a receipt was then on file in his office. Captain Henry certifies that this expense was necessary to collect his company together. The United States Government should only pay for expenses incurred from the date the company was accepted by the governor of the State, as shown by muster-in rolls, and after that date there was, or should have been, no necessity for the expense charged on this voucher. As the man whose services are charged for was borne on the company's roll, and an award for his services has been suggested on voucher 1, this charge should be disallowed..... 30 00

11. M. A. Taylor, medical attendance on Wyatt Hanks, November 13 to 20, 1854..... $60 00

The physician swears to the correctness of the account and the rates charged, and the voucher bears the approval of a lieutenant, as assistant quartermaster, and of the State adjutant-general. The man attended and was mustered into service. Johns's certificate appears in the absence of a receipt. The charge rests within the scope of time for which reimbursement of pay and allowances on account of this company is suggested, and is considered a proper charge, but should be suspended for want of receipt..... 60 00

12. A. J. Lott and G. G. Steel, medical attendance from November 8 to 14, 1854.

Isaac Hickman..... $27 00
William Lee..... 28 00
Mr. Simms..... 20 00

Approved by State adjutant-general and by Captain Henry.

Johns's certificate appears in the absence of a receipt.

Isaac Hickman's name does not appear on the company roll, therefore the charge for him should be disallowed..... 27 00

Lee and Simms were mustered in as privates. This voucher duplicates, in part, the charges in voucher 7 for medical attendance on the same men during the same time. The duplicate charges on that voucher stand disallowed, for the reason that it was not approved by

Voucher.

a company officer, and that two physicians for one person at the same time are not admissible under ordinary circumstances. These charges rest within the scope of time for which reimbursement of pay and allowances on account of this company is suggested, and are considered proper charges, but should be suspended for want of a proper receipt $48 00

13. S. R. Reynolds, horseshoeing in November, 1854—

For Captain Henry's company	$72 50	
For Captain Walker's company	39 55	
For Captain Rogers's company	7 50	
For Captain Travis's company	1 87	

The bill for Henry's company is certified to by one of the lieutenants and is approved by the captain. This company had no farrier and blacksmith, and the charges rest within the scope of time for which reimbursement of pay and allowances on account of this company is suggested. If that suggestion shall be favorably considered, this amount for shoeing horses of men whose names are on the company roll should be allowed 53 75

The balance charged, being for shoeing horses of men whose names do not appear on the company roll, should be disallowed 18 75

The companies commanded by Captains Walker, Rogers, and Travis, each had a farrier and blacksmith, whose duty it was to shoe the animals belonging to the said companies, respectively, and, therefore, the amounts claimed for shoeing done for said companies, being improper charges against the United States, should be disallowed. 48 92

14. Joseph Lance, pay and allowances for three months' service.. $77 10
Amount received 61 40

Difference claimed and paid on this voucher 15 70

A certificate is filed as a substitute for a receipt.

As this man was not mustered into the United States service, this is an improper charge against the United States, therefore should be disallowed 15 70

15. Charles E. Aikins, pay and allowances as private for three months $77 10

A certificate is filed as a substitute for a receipt.

This man's name does not appear on the company's rolls signed by mustering officers, therefore this amount, being an improper charge against the United States, should be disallowed 77 10

William Fitzhugh's company.

1. William Fitzhugh, pay and allowances as captain for three months, to December 24, 1854; payment made 11th March, 1856..... $383 10

On the 5th February, 1856, James W. Throckmorton was appointed agent to pay William Fitzhugh's company, "which was enrolled at the town of McKinney, in the month of October, 1854, for three months' service," the members of the company to be paid the same as allowed by law and regulations of the United States to mounted volunteers.

In the written instructions given to this agent by the governor, the following appears:

"You will recognize no assignment of any member of said company which does not show on its face that the party knew that he was entitled to three months' pay; as conveying a right to any more than one month and twenty-one days' pay. Service all over and above that amount is a gratuity from the State, and should only be paid to the party who rendered the service, unless the said party has assigned it with a full knowledge of his right." (See paper No. 67.)

Upon referring to the remarks for voucher 1 of Boggess's company it will be understood why the governor considered this company (Fitzhugh's) entitled to pay for only one month and twenty-one days. The reason was because the governor believed that this, and no more, was the time it was "actually in the service of the State."

As a general rule, the United States Government pays only for service rendered or for the time a person or party is actually employed in its service.

As General Smith issued his call on the 1st November, 1854, and this company was mustered into State service on the day following that

Voucher.

date, the inference to be drawn therefrom is that the United States Government is responsible for the pay and allowances accruing to the members of this company, and for expenses properly incurred on its account, from the 2d day of November, 1854, as it was then organized and recognized by the governor under General Smith's call.

In view of the foregoing facts, this amount, being for services during the one month and twenty-one days immediately prior to December 24, 1854, should be allowed $216 75

The balance claimed on this voucher, being an improper charge against the United States, should be disallowed 166 35

2. F. M. Dougherty, first lieutenant; dates of service not stated. $323 10

As on voucher 1, except that this amount should be allowed 182 75

And this disallowed 140 35

3. A. J. Trussell, second lieutenant; dates of service not stated .. $308 10

As on voucher 1, except that this amount should be suspended, as the officer's servant is not described 174 25

And this disallowed 133 85

4. Pay-roll of enlisted men; dates of service not stated $6,666 90

Item 1. John B. White, 1st sergeant, pay and allowances for three months $104 50

Item 2. John Scanland, sergeant 95 50

Item 3. John M. Street, sergeant 95 50

Item 4. William C. Lewis, sergeant 95 50

Item 5. S. G. S. McGarrah, corporal 83 10

Item 6. John O. McIntire, corporal 83 10

Item 7. Larkin Ball, corporal 83 10

Item 8. Joshua Gorham, corporal 83 10

Item 9. John J. Miller, bugler 80 50

Item 10. Andrew J. Wisdom, bugler 80 50

Item 11. William B. Dingle, blacksmith and farrier 77 10

The remarks for voucher 1 are applicable to these items, except that this amount should be allowed 544 85

And this disallowed 416 65

Items 12, 13, 15, 17-27, 29-35, 37-44, 46-50, 52-58, 60-67, and 69-85, for services of sixty-six privates $5,088 60

As on voucher 1, except that this amount, being for sixty-six privates, at $43.69 each, should be allowed 2,883 54

And this should be disallowed 2,205 06

Items 14, 16, 28, 36, 45, 51, 59, and 68, for services of eight privates $616 80

As the names of the men charged for do not appear on the rolls signed by mustering officers, this amount, being an important charge against the United States, should be disallowed 616 80

5. James W. Throckmorton, pay as mustering officer of Captain William Fitzhugh's company, $50. This voucher is simply a requisition made by James W. Throckmorton for the money. It is not approved by any State official, and Comptroller Johns's certificate of February 29, 1860, appears as a substitute for a receipt. The company was mustered in first by the adjutant-general, and afterward by an officer of the Army; therefore this expense was unnecessary, and, being an improper charge against the United States, the amount should be disallowed 50 00

6. James W. Throckmorton, for disbursing $7,731.20 in paying off Captain William Fitzhugh's company of mounted volunteers, at 5 per cent., $386.56. Dates of service are not stated. A copy of the appointment of Throckmorton is filed. It states that on settlement of his proceedings under this appointment a "reasonable compensation" will be allowed. A receipt for the money is not produced, but a certificate, signed by Comptroller Johns, February 28, 1860, states: "Receipt for the amount of $386.56 is on file."

The expense of employing an agent to pay these troops for services subsequent to November 2, 1854, was a contingency necessarily coupled with their employment; therefore this voucher is admissible for 5 per cent. on the amount found admissible by the United States on payments made by Throckmorton for or on account of this company. Of the amount paid by Throckmorton this is favorably considered, $4,002.14, and the per cent. thereon should also be favorably considered, but should be suspended for want of a proper receipt..... 200 11

Voucher.

The balance charged on this voucher, being an improper charge against the United States, should be disallowed $186 45

7. William W. Payne, medical aid rendered to James Everitt, Captain Fitzhugh's company, from December 16 to December 25, 1854 . $38 00

Everett's name does not appear on the rolls signed by mustering officers of the Army, and it is not shown that he was a contract physician, therefore the amount of this voucher, being an improper charge against the United States, should be disallowed 38 00

8. R. F. Hodgecoxe, transportation of baggage for Captain Fitzhugh's company from Austin to camp, and returning, 24 days, at $6 . $144 00

Dates of service not stated. The remarks on voucher 10, Captain Boggess's company, are applicable to this voucher, the amount of which should be disallowed 144 00

9. F. M. Dougherty, wagon and team employed from the 16th day of October to the 2d of December, 1854, in transporting baggage for Captain Fitzhugh's company, 16 days, at $6 per day $96 00

A certificate is submitted in place of a receipt. As on voucher 13, Walker's company, should be disallowed 96 00

10. Felix McKetrich, 18 days' rations, from November 26 to December 13, 1854: Soap, $5; candles, $5: vinegar, $15.75; rice, $19.12 ... $44 87

As on voucher 8, should be disallowed 44 87

11. T. H. Turney, expenses in the burial of James Everett, December 25, 1854 ..... $32 00

A certificate appears in place of a receipt. As stated on voucher 7, Everett's name does not appear on the rolls signed by a mustering officer of the Army, therefore the amount of this voucher, being an improper charge against the United States, should be disallowed .. 32 00

12. Latimer & Swindell, advertising "notice to rangers," February 9, 1856 ..... $15 00

Approved by the governor, to be paid out of the appropriation for the payment of the volunteers mustered in the fall of 1854.

James W. Throckmorton, who paid this expense, was appointed paymaster on the 5th of February, 1856, and instructed to pay this company, which was disbanded in 1855. Directly after the date of his appointment "notices to rangers" appear charged for. In the absence of copies of the notices it is inferred that they were issued as a measure necessary to the paymaster's duties. If the suggestion made on voucher 6, in regard to paying these troops, shall be favorably considered, this charge should be allowed 15 00

Charles E. Travis's company.

1. Charles E. Travis, pay and allowances as captain for three months. Dates of service not stated, and servant not described. Payment made May 27, 1856 ..... $383 10

On the 1st May, 1856, James H. Raymond was appointed agent to pay Charles E. Travis's company, and he paid the members thereof for three months' service.

As a general rule, the United States Government pays only for services rendered, or for the time a person or party is actually employed in its service.

As General Smith issued his call on the 1st of November, 1854, and this company was mustered into State service on the day following that date, the inference to be drawn therefrom is that the United States Government is responsible for the pay and allowances accruing to the members of this company, and for expenses properly incurred on its account from the 2d day of November, 1854, as it was then organized and recognized by the governor under General Smith's call.

Powers of attorney filed in connection with payments made for members of this company are, in several instances, informal, in this, that they are not witnessed as required by law, and are not attested by the certificate and seal of the clerk of a court of record to show the standing of certain magistrates who administered oaths. It is inferred that these informalities cannot now be remedied by the State authorities, and therefore this objection should be waived.

In view of the foregoing facts it is suggested that this amount, being for services during the twenty-nine days immediately prior to December 1, 1854, is a proper charge, but should be suspended for want of a description of the officer's servant 123 25

Voucher.

The balance claimed on this voucher, including an overcharge of 60 cents on servant's clothing, being an improper charge against the United States, should be disallowed $259 85

2. G. W. Chapman, first lieutenant. Servant is described $323 10

As on voucher 1, except that this amount should be allowed 103 92

And this disallowed 219 18

3. J. D. Scott, second lieutenant, servant not described $102 70

As on voucher 1, except that this amount should be suspended 99 08

And this disallowed 3 62

4. Pay-roll of enlisted men. Dates of service not stated $6,932 23

Item 1. William B. Covington, first sergeant, pay and allowances for three months $104 50

Item 2. D. M. Dean, sergeant 95 50

As the names of these two men do not appear on rolls signed by mustering-officers, the amount charged for in the above two items, being an improper charge against the United States, should be disallowed. 200 00

Item 3. William Webb, sergeant $95 50

Item 4. R. M. White, sergeant 95 50

Item 5. John F. Jones, corporal 83 10

Item 6. J. C. C. Bonner, corporal 83 10

Item 7. W. H. Wood, corporal 83 10

Item 8. F. C. Stewart, corporal 83 10

Item 9. J. N. Hooks, bugler 80 50

Item 10. J. F. Robert, bugler 80 50

Item 11. E. B. Wade, farrier 77 10

As on voucher 1, except that this amount should be allowed 245 37

And this disallowed 516 13

Items 12–16, 18–23, 26–40, 42, 44–52, 54–60, 62, 64–84, for services of one sergeant and sixty-four privates $5,029 90

As on voucher 1, except that this amount should be allowed 1,620 75

And this disallowed 3,409 15

Items 17, 24, 41, and 63, for services of four privates $308 40

As on items 1 and 2, the amount of these four items should be disallowed 308 40

Item 25. E. T. Everly, private $77 10

This man's name does not appear on the muster-in roll, but the muster-out roll shows that he "joined as recruit for service December 22, 1854." The amount charged for in the above item, being for services prior to "joining as recruit," is an improper charge against the United States, therefore should be disallowed 77 10

Items 43, 53, and 63, for services of three privates $231 30

Not receipted for on pay-roll, therefore this amount should be disallowed 231 30

The correct total of the pay-roll for this company is $6,608.20, or $324.03 less than the amount carried to the abstract; therefore this discrepancy, being an improper charge against the United States, should be disallowed 324 03

5. E. B. Wade, farrier, services as private $77 10

For extra services as farrier to company, 90 days, at 18 cents. 16 20

93 30

Paid, as per pay-roll on file 77 10

16 20

Comptroller Johns certified, February 29, 1860, that "receipt of Edward B. Wade for said $16.20 is on file." Said receipt is not submitted.

The roll shows that this man was mustered in as farrier and blacksmith. He was not entitled to extra-duty pay for extra services in the business for which he was mustered. This amount should be disallowed 16 20

6. James S. Gillett, mustering into service volunteers at Cameron, 18th October, 1854 ..... $50 00

Comptroller Johns certified, February 27, 1860, that "receipt is on file in this office." Said receipt is not submitted. The secretary of state certified, Austin, February 20, 1856, that Gillett was appointed on the 11th October, 1854, to enroll and inspect the volunteers that were to present themselves at Cameron on the 18th October, 1854. This amount for services rendered prior to November 2, 1864, the

Voucher.

date of muster into State service, being an improper charge, should be disallowed $50 00

7. Ford and Jones, advertisement of pay to volunteers, Captain Travis's company, May 10, 1856 ..... $4 50

Certified to as correct by the treasurer, and approved by the governor. Comptroller Johns certified, February 28, 1860, that "receipt for the above amount of $4.50 is on file." Said receipt is not submitted. James H. Raymond was appointed paymaster on the 1st May, 1856, and instructed to pay off this company, which was disbanded in 1855. Directly after the date of his appointment, the services charged for in this voucher, it appears, were rendered. In the absence of a copy of the advertisement, it is inferred that this expense was necessary to enable the paymaster to perform his duties. If the suggestion made on voucher 8 in regard to paying these troops shall be favorably considered, this charge may be admissible, but the amount should be suspended for want of a proper receipt 4 50

1st part. James H. Raymond, services rendered as paymaster in paying off Captain Travis's company $376 35

Comptroller Johns certified, February 29. 1860, that "receipt of James H. Raymond for said amount of $376.35 is on file." Said receipt is not submitted.

The appointment of Raymond is filed. It states, "Your compensation for said service will be the same as may hereafter be allowed to the persons appointed to pay off the other companies."

It was suggested to allow the paymasters of other companies a compensation of 5 per cent. on so much of the amount paid by them as should be allowable by the United States. That suggestion, favorably considered, would entertain the same rate of compensation in this case. Therefore, this amount, being 5 per cent. on $2,196.87, is considered admissible, but should be suspended for want of a proper receipt 109 84

The balance, being an improper charge against the United States, should be disallowed 266 51

8. 2d part. James H. Raymond, for services rendered as paymaster under appointment of Governor E. M. Pease in paying companies of Captains William Tom, Levi English, and William G. Tobin, expenses included $100 00

This charge being for services rendered in connection with a class of troops to be hereafter referred to, is here disallowed, and will be transferred to class three 100 00

P. H. Rogers's company.

1. P. H. Rogers, pay and allowances as captain for three months, from 8th November, 1855, to 8th February, 1856, payment made March 31, 1856 ..... $383 10

On the 22d March, 1856, A. M. M. Upshaw was appointed agent to pay P. H. Rogers's company, "which was enrolled at the town of Brenham, in the month of October, 1854, for three months' service," the members of the company to be paid the same as allowed by law and regulations of the United States to mounted volunteers.

In the written instructions given to this agent by the governor, the following appears:

"You will recognize no assignment from any member of said company as conveying more than his pay for one month and twenty-two days, unless it shall appear from said assignment that the assignor knew that he was entitled to receive full three months' pay, and intends to convey that amount." (See paper No. 68.)

Upon referring to the remarks for voucher 1 of Boggess's company, it will be understood why the governor considered this company (Rogers's) entitled to pay for only one month and twenty-two days. The reason was because the governor believed that this, and no more, was the time it was "actually in the service of the State," though it seems he made an error of eight days in favor of the company.

As a general rule, the United States Government pays only for services rendered or for the time a person or party is actually employed in its service.

As General Smith issued his call on the 1st November, 1854, and this company was mustered into State service on the 8th of November,

Voucher.

the inference to be drawn therefrom is that the United States Government may be responsible for the pay and allowances accruing to the members of this company, and for expenses properly incurred on its account from the 8th day of November, 1854, as it was then organized and recognized by the governor under General Smith's call.

In view of the foregoing facts, it is suggested this amount, being for services for one month and fourteen days immediately prior to December 22, 1854, should be allowed $187 00

The balance claimed on this voucher, including an overcharge of 60 cents on servant's clothing, being an improper charge against the United States, should be disallowed 196 10

2. Alexander S. Wright, first lieutenant $323 10

3. E. W. Rogers, second lieutenant 308 10

As on voucher 1, except that this amount should be allowed 308 00

And this disallowed 323 20

4. Pay-roll of enlisted men; dates of services not stated; abstracted for $3,976 58

The roll was made up for $4,967 26

The amount not receipted for is 1,023 23

Showing this amount actually paid, viz 3,944 03

This difference, overcharged, should be disallowed 32 55

Item 1. William M. Bennet, first sergeant, pay and allowance for three months $104 50

Item 2. David Smith, sergeant 95 50

Item 3. Thomas W. Rogers, sergeant 95 50

Item 4. Ezekiel White, sergeant 95 50

Item 5. John F. Kuffington, corporal 83 10

Item 6. In part, Alexander B. Davis, corporal 54 40

Item 7. William M. Kusee, corporal 83 10

Item 8. J. H. Hutchison, corporal 83 10

Item 10. Charles H. Allen, bugler 80 50

Item 11. Jacob Benson, farrier and blacksmith 77 10

Powers of attorney filed in connection with payments made for members of this company are, in many instances, informal, in this, that they are not witnessed as required by law and are not attested by the certificate and seal of the clerk of a court of record to show the standing of certain magistrates who administered oaths. It is inferred that these informalities cannot now be remedied by the State authorities, and therefore this objection may be waived. Otherwise, the remarks for voucher 1 are applicable to these items, except that this amount should be allowed 430 71

And this disallowed 421 59

Items 12–14, 16–20, 21 in part, 23, 24, 26, 27 in part, 28, 29, 30, 31 in part, 32 in part, 33–41, 43, 44, 45, 47, 50 in part, 51–55, 56 in part, 57, 59, 60 in part, and 61 in part, for services of 42 privates 2,977 80

As on items 1–8, 10 and 11 above, except that this amount, being for 42 privates, at $37.69½, should be allowed 1,583 12

And this disallowed 1,394 68

Items 62 and 64, for services of two privates $113 93

As the names of the men charged for do not appear on rolls signed by a mustering officer, this amount, being an improper charge against the United States, should be disallowed 113 93

Items 6 in part, 9, 15, 21 in part, 22, 25, 27 in part, 31 in part, 32 in part, 42, 46, 48, 49, 50 in part, 56 in part, 60 in part, 61 in part, and 63, for the several amounts of which receipts do not appear, are deducted, therefore require no action.

5. A. M. Upshur, pay for enrolling and organizing Captain P. H. Rogers's company in October, 1854 ..... $50 00

This voucher, being a charge for services rendered prior to the date of muster into State service, should be disallowed 50 00

6. A. M. Upshur, services as paymaster, for paying off Captain P. H. Rogers's company—dates of service not stated $299 08

A copy of the appointment of Upshur is filed. It stated that on settlement of his account with the comptroller a reasonable compensation would be allowed

Comptroller Johns, February 28, 1860, certified that receipt for the above amount of $299.08 was then on file in his office. Said receipt is not submitted.

Voucher.

The remarks for voucher 6 of Fitzhugh's company are applicable to this voucher, of which this amount, $118.37, being 5 per cent. on $2,367.49, favorably considered, is admissible, but should be suspended, for want of proper receipt $118 37

The balance charged on this voucher, being an improper charge against the United States, should be disallowed 180 71

7. Bennett F. Henderson, private. Balance of pay, &c $32 55
Charles Human, private. Balance of pay, &c $32 55

8. As allowances for the full time these men were actually in the service of the State have been suggested on items 27 and 31 of voucher 4, this amount, paid on their account, should be disallowed 65 10

9. Andrew B. Eckles, private. Pay and allowances for three months $77 10

Comptroller Johns certified, February 29, 1860, that a receipt for this amount was then on file in his office. Said receipt is not submitted.

As on voucher 1, except that this amount should be suspended for want of a proper receipt 37 69

And this should be disallowed 39 41

10. Thomas A. Evans, private. Balance of pay $32 55

As on vouchers 7 and 8 (except, in this case, see item 21 of voucher 4), this amount should be disallowed 32 55

11. George W. Parks, private. Pay and allowances for three months $77 10

As on voucher 9, except that this amount should be suspended 37 69

And this should be disallowed 39 41

12. Samuel A. Terrell, private. Balance of pay $32 55

As on vouchers 7 and 8 (except in this case see item 56 of voucher 4), the amount of this voucher should be disallowed 32 55

13. A. R. Mott, private. Pay and allowances $77 10

As on voucher 9, this amount should be suspended 37 69

And this disallowed 39 41

14. T. M. Petty, private. Pay and allowances $77 10

As on items 1 to 11 of voucher 4, except that this amount should be allowed 37 69

And this disallowed 39 41

15. E. P. Carver, private. Pay and allowances $77 10

16. F. Nordhues, bugler. Pay and allowances 80 50

As on voucher 9, except that this amount should be suspended 77 06

And this disallowed 80 54

17. Mercer Fain, use of wagon and team six days, at $6, dates of service not stated $36 00

18. O. Evans and Hanson, 711 rations subsistence, at 39 cents, from December 15 to 23, 1854, $277.29; seven hundred and eleven rations forage, at 31 cents, from December 15 to 23, 1854, $220.41 ..... 497 70

The remarks on voucher 10, Boggess's company, are applicable to these vouchers, the amount of which should be disallowed 533 70

19. E. Krauskoff, gunsmith work in November, 1854, Captain Rogers's company $68 50
Captain Walker's company 13 75
Captain Henry's company 4 00

The account for Rogers's company is certified to as correct and necessary, by the first lieutenant of the company, and is approved by Lieutenant Garrison, assistant quartermaster Texas rangers, and is receipted by A. A. Muncey, attorney for Krauskoff. The other accounts are certified to as correct and necessary by Captains Walker and Henry, respectively, but are not receipted. Comptroller Johns certified, March 1, 1860, that the receipt of A. A. Muncey, attorney for E. Krauskoff, for the sum of $86.25, was then on file. Said receipt is not submitted.

If the suggestion made in regard to awarding reimbursement on account of these troops should be favorably considered, this amount being properly incurred in arming and equipping the same, and being supported by proper vouchers, should be allowed 68 50

This amount, charged on account of H. Lehman, whose name does not appear on the rolls signed by a mustering officer, should be disallowed 25

And this amount should be suspended for want of proper receipts 17 50

Voucher.

20. Samuel Stone, Captain Rogers's company in November, 1854, ferriage for 5 days $30 00
Captain Walker's company, ferriage 6 00
Captain Henry's company, November 3 to 23, 1854.
Attention and hospital service rendered to the sick of this company, viz:
Simms, Lee, Hickman, Reyburn, and York, at $25 ..... $125 00
Boarding six horses 60 00
Attention and funeral expenses of Hickman 60 00
Ferrying sundry times to and from town 10 00
Board and attention of Hanks and horse 25 00
280 00

The subvouchers are certified to as correct and necessary by the captains and approved by the governor.
The remarks of voucher 7 of Henry's company are applicable to the charges for board and attention to sick on this voucher, of which this amount should be allowed $100 00
The balance should be disallowed for the following reasons, viz:
The charge on Hank's account is a duplicate of voucher 8, Captain Henry's account; Hickman's name does not appear on Henry's rolls signed by a mustering officer, and the remarks to voucher 10, of Boggess's company, are applicable to the charges for boarding horses and ferriage; therefore this amount should be disallowed 216 00

RECAPITULATION. CLASS I.

The abstract for payments made to the six companies calls for $50,109 32
To this should be added, for an error in addition in Boggess's roll, the sum of $77.10, less 25 cents for an error in abstracting voucher 23, same company 76 85

Correct amount of account 50,186 17
which is disposed of, in the foregoing analyses, as follows:
Amount which should be—
Allowed *$16,283 21
Suspended *3,942 14
Disallowed 29,960 82

Total 50,186 17

CLASS II.

Callahan's party.

1. J. H. Callahan $409 40
This voucher is simply a receipt for this amount paid the captain for three months' service, viz, from July 20 to October 19, 1855. Items are not stated in detail; the officer's servant is not described; and an excess beyond what was allowed by law and Army regulations appears in this charge. Said excess amounts to $6 90, which should be disallowed $6 90
Any action that will allow reimbursement of any expenditure on account of this company will favorably consider this amount, subject, however, to suspension until the voucher shall be perfected ... 402 50
2. William Kyle, second lieutenant $332 72
3. Ed. Burleson, first lieutenant and assistant quartermaster ... 408 06
As on voucher 1, next above, except that here the excessive are Kyle $5.22, and Burleson $65.56, which should be disallowed 70 78
The balance, as on voucher 1, suspended 670 00

* It is respectfully submitted that the sum of these two amounts (viz. $20,225.35) is all of the foregoing amount that is admissible as a proper charge against the United States on account of the six companies called out by General P. F. Smith in 1854. The greater part of the amount "disallowed" is composed of sums which the State paid to the troops as "gratuity." (See annexed paper 67.)

Voucher.

4. Pay-roll of enlisted men $7,481 68
Items 1 to 83 and 85, for services of 82 men from July 20 to October 19, 1855, and of 2 men from July 20 to October 3, 1855 ..... $7,390 26
A muster-roll, certified to by Callahan and mustering officer J. D. Pitts, bears the items and receipts pertaining to this amount.
Any action that will allow reimbursement of any expenditure on account of this company will favorably consider this amount, subject to petty deductions $7,390 26
Item 84, for services of an enlisted man..... $91 42
No receipt appears for this, therefore the amount should be disallowed 91 42

5. Pay-roll for property lost by enlisted men while in Mexico; items 1-22, and 24-29..... $2,213 00
Each item is supported by an affidavit made by the captain of the company, and the articles and valuation charged compare favorably with remarks on the company-roll.
Remark. Any action that will allow reimbursement of any expenditure made on account of this company will favorably consider this amount 2,213 00
Item 23. The amount of this has been deducted from the claim, therefore requires no action.

5. Made up of various items, to be dealt with separately.
Item 1. John Riley, 326 bushels of corn, at $1.10, October 11, 1855 ..... $358 60
This bill, approved by Captain Callahan, bears the certificate of Lieutenant Burleson, assistant quartermaster, that the corn was delivered and that it was actually necessary for the public service.
Why the contractor, Swenson (see item 13 following), did not furnish a full supply of forage, is not explained.
If this bill does not in fact exhibit false signatures on its face, then it is simply a copy, but is not so marked.
Were any of the charges in this class allowable, this amount would be subject to suspension for want of a proper voucher, and for satisfactory explanation in connection with item 13..... 358 60
Item 2. John Riley, seven weeks' rent of two houses, one for commissary of supplies and the other for hospital, October 15, 1855.. $26 25
As on item 1, next above, suspended 26 25
Item 3. Ed. Burleson, transportation $409 68
This bill is as follows: "Received, San Marcos, January 8, 1856, of Colonel John D. Pitts, paymaster, $409.68, for transportation to Captain J. H. Callahan's company Texas mounted volunteers, entered upon rolls as pack-mules. Ed. Burleson, first lieutenant, assistant quartermaster. Witness: J. H. Callahan, captain."
The rolls submitted do not throw any light upon this matter, further than that seventeen pack-mules, belonging to different individuals of the company, were lost in Mexico. The lack of evidence to support this charge will warrant a disallowance of this amount..... 409 68
Item 4. T. C. Doss, 560 bushels corn, at $1.10, October 15, 1855. $616 00
This bill, approved by Callahan, bears the certificate of Burleson. Excepting that this is believed to be a genuine receipt, the remarks for item 1 are applicable to this amount—suspended. 616 00
Item 5. Mrs. Reynolds, shoeing horses, October 15, 1855..... $46 80
Approved by Callahan; certified by Burleson. The number of horses shod is not stated. The receipt is signed T. C. Doss, attorney, but no power of attorney is filed. This bill's defectiveness is sufficient to warrant a disallowance of its amount 46 80
(See remarks for items 9 and 10 following.)
Item 6. James Hunter, 54 bushels corn, October 13, 1855 ..... $72 20
As on item 1 of this voucher—suspended..... 72 20
Item 7. Ed. Burleson, transportation of baggage..... $36 00
Claimant Burleson explains: "I certify that the foregoing account is correct and just; that I have actually performed the journey herein charged for, in obedience to the authority hereunto annexed, which was received by me when in actual duty; and that I have received no public transportation, or money in lieu thereof, for any part of the above amount; and that I am not in arrears to the State of Texas on any account whatever."
An order for the journey is not submitted, dates of service are not stated, and the charge is for transportation of baggage, and is not, as certified, for transportation of the officer. For these reasons,

Voucher.

and in addition see remarks for item 3, this amount should be disallowed $36 00

Item 8. J. G. Barbec, services as surgeon for three months... $300 00

Approved by Callahan; approved by Burleson.

The doctor's name does not appear on the rolls, and he was not a contract physician, therefore this amount should be disallowed 300 00

Item 9. Harmon Willie, shoeing horses $41 50

Item 10. James Brown, shoeing horses 50 50

Approved and certified as on item 1. The necessity for so much horseshoeing on the 15th October, 1855 (see item 5), is not explained. Eighty-eight were the aggregate number of persons in the company, and of the animals employed with them, forty-one were lost in Mexico early in October, 1855. The company officers having been notified October 4, 1855, that they would be mustered out October 19, 1855, the expenses incurred by them four days before muster-out were extraordinary in character and amount. The total absence of full and satisfactory explanation concerning these items warrants their disallowance 92 00

Item 11. Russell Varnell, services as guide $40 00

Approved and certified as on item 1. Dates of service are not specified. If this company was ever properly and lawfully employed, it was when in a section of country with which its members must have been familiar, needing no guide. If a guide was necessary, then the organization was out of its proper element, and the expenses incurred in such an event should be disallowed 40 00

Item 12. J. H. Callahan advances, October 12, 1855 ..... $57 00

This amount is made up of $23 for forage, $20 for corn, and $14 for horseshoeing for a scout, while out of reach of smiths, who were doing the company work, the captain asserting by certificate that he paid the money out of his own private means.

Receipts of the parties paid by Callahan are not filed, and the correctness of the bill is not verified by affidavit. As submitted, this subvoucher is fatally defective, and its amount should be disallowed .. 57 00

Item 13. S. M. Swanson $2,746 00

This charge embraces items of subsistence, forage, medicines, ammunition, scales and weights, stationery, camp equipage, and transportation.

Reference is made to contract marked No. 1, dated August 3, 1855; also to contract marked No. 2, dated October 30, 1854, and accounts marked Nos. 3 and 7.

The contracts and accounts referred to in the foregoing memoranda on the bill are not submitted, dates of this account are not submitted, the correctness of this account is not certified to, dates of service are not specified, and articles of property not perishable are not accounted for.

Upon the evidence submitted this item of items is inadmissible; therefore should be disallowed 2,746 00

Item 14. Gastin Barbec, services rendered to men wounded in battle $67 50

This bill, approved by Callahan, bears the certificate of Burleson "that the above account is correct and just; that the said Barbec did attend the men, and that he did it at the request of Captain James H. Callahan, with the promise of having his claim properly presented to the State of Texas."

Dates of service are not stated. This Dr. Barbec is supposed to be the same who figured in item 8; therefore this seems to be a double charge. If any amounts were allowable on this class, this item would be subject to suspension for want of satisfactory explanation, and then it might be disallowed for the reasons stated in item 8 ..... 67 50

Item 15. Thomas Durham, 2,263 rations of subsistence, at 39 cents, July 20, 1855 ..... $882 57

This bill, approved by the governor, bears the certificate of Lieutenant Burleson, that the account is correct and the rations were furnished.

The necessity for so many rations for so few men in one day's time is not explained; abstracts of issues are not submitted; this charge is not submitted by a proper voucher, and if any amounts should be allowable in this class, this item should be suspended for want of satisfactory explanation 882 57

Benton's company.

Voucher.

1. Roll of pay and allowances from September 15 to October 15, 1855 ..... $1,574 83
Item 1. Nat. Benton, captain 191 35
Item 2. H. B. King, first lieutenant 161 88
Item 3. Charles A. Read, second lieutenant 140 00
An excess beyond what was allowable by law and Army Regulations was granted to each individual above named. Said excess for Benton, $57.85; for King, $48.38; and for Read, $31.50, should be disallowed $137 73
Items are not stated in detail and descriptions of the officers' servants are not given.
Any action that will allow reimbursement of any expenditure on account of this company will favorably consider this amount subject to suspension until the vouchers are perfected 355 50
Items 4–26. For services of 23 enlisted men $1,081 60
Amounts paid exceed, in every instance, the amounts of the items given to form the total, the latter being excessively stated. Powers of attorney filed in connection with payments made for members of this company are informal in several instances.
The erasures, overcharges, lack of detailed statements of items to make the total paid, and the remarkable uniformity of handwriting of all the men, whose names stand as having been signed by the individuals themselves, are all fatal defects on this voucher, and they will warrant a suspension of this amount 1,081 60
2. Roll of payments made for property lost in Mexico $935 00
Items of charge are certified under oath, and they and the amounts compare favorably with articles and valuations on the company-roll.
Remark as on voucher 5 of Callahan's company, except that item 1 in this case requires a power of attorney, and that this is the amount to be disposed of 935 00
3. J. H. Callahan $57 00
This duplicates the charges composing item 12 of voucher 6 for Callahan's company, therefore should be disallowed 57 00

Henry's company.

1. Roll of pay and allowances from September 15 to October 15, 1855 ..... $3,112 60
Item 1. W. R. Henry, captain 178 00
Item 2. Houston Tom, first lieutenant 150 00
As in items 1 to 3 of voucher 1 for Benton's company, except that here the excessive charges amount to $81, which should be disallowed. 81 00
And the balance subject to suspension is 247 00
Item 3 is not receipted for, and the amount has been deducted from the roll. No action required.
Items 4–36. Enlisted men $1,494 60
Powers of attorney filed in connection with these payments are informal, as in cases heretofore noted.
Any action that will allow reimbursement of any expenditure on account of this company will favorably consider this amount 1,494 60
2. Roll of payments made for property lost in Mexico $1,290 00
As on voucher 5 of Callahan's company 1,290 00
0. John D. Pitts, paymaster $100 00
This charge appeared as voucher 5 for Henry's company in class 1, but from there was transferred to be dealt with in this class, the voucher being for services as paymaster for the companies in this class.
Comptroller Johns certified, February 29, 1860, that the receipt of John D. Pitts was then on file. Said receipt is not submitted.
Any action that will allow reimbursement of any expenditure on account of this company will favorably consider this amount, subject to suspension until a proper receipt is presented 100 00

RECAPITULATION. CLASS II.

If a United States law authorized and directed the Secretary of War to settle and adjust, "on just and equitable principles," the claims submitted in connection with the companies of Callahan, Benton, and Henry, an enforcement of the rules of the War Department would leave the accounts as follows:

Voucher.

Amount which should be—

Allowed	$13,322 86	
Suspended	4,879 72	
Disallowed	4,172 31	
		$22,374 89
Brought down from class 1		50,186 17

CLASS III.

Tom's company.

It is asserted that this organization was employed from October 18 to November 15, 1855. For what purpose it was employed does not appear in the evidence. The vouchers do not state the dates of service, but otherwise are as follows:

1. William Tom, pay and allowances as captain $133 70
   Overcharged on servant's pay 20 cents, which should be disallowed .. $0 20
   Remark.—Any action that will allow reimbursement of any expenditure on account of this company will favorably consider this amount 133 50
2. Robert E. Jones, first lieutenant $13 70
3. W. M. Rust, second lieutenant 108 70
   As on voucher 1, next above, except that this should be disallowed .. 40
   And this is the balance to be disposed of 222 00
4. Pay-roll, items 1–14, 16–26, 28, and 30–45, pay and allowances to enlisted men $1,112 92
   The powers of attorneys submitted in connection with these items are informal, as in other cases heretofore noted. Otherwise the remark on voucher 1, preceding, is applicable to this amount to be disposed of 1,112 92
   Items 15, 27, and 29, for the several amounts of which receipts are not produced, are deducted from the roll; therefore require no action.
5. Ezra Keyser's account with a vigilance committee: For cash paid by him for forage and subsistence furnished Tom's company .. $408 97
   This bill was paid by the committee, and the State reimbursed the amount, per receipt of "E. Jones, chairman of the vigilance committee."
   The quantity and price of each article is not stated, and the receipts of the parties paid by Mr. Keyser are not submitted. The informality of this voucher is sufficient to warrant a disallowance of its amount 408 97
6. George Lee, private $25 70
   A receipt for this is not filed; therefore the amount should be disallowed 25 70

Tobin's company.

It is asserted that this organization was employed from October 12 to November 15, 1855.

For what purpose it was employed is not clearly stated, unless it was to serve against Texas Indians. The vouchers are as follows:

1. William G. Tobin (called captain), pay and allowances as second lieutenant $108 70
   As on voucher 1 of Tom's company, except that this amount should be disallowed 20
   And this is the balance 108 50
2. Pay-roll, dates of service not stated, items 1–7 and 9–25, pay and allowances to enlisted men $808 76
   As on items for amounts paid on voucher 4 of Tom's company, except that this is the amount to be disposed of 808 76
   Item 8, not receipted, is deducted from the roll; therefore requires no action.

English's company.

It is asserted that this organization was employed at various times between August 6 and November 13, 1855. For what purpose it was employed is not satisfactorily explained, though the captain's power of attorney asserts it was to serve against Texas Indians. (See annexed paper, No. 139.) The vouchers are as follows:

Voucher.

1. Levi English, pay and allowances for one month as first lieutenant $113 70
2. Joel M. Walker, second lieutenant 108 70
   As on voucher 1 of Tom's company, except that this amount should be disallowed $0 40
   And this is the balance 222 00
3. Pay-roll, dates of service not stated, items 1 to 7, 9–18, 20–31, 35–39, and 42–46, pay and allowances to enlisted men $1,376 46
   As on items for amounts paid on voucher 4 of Tom's company, except that this is the amount to be disposed of 1,376 46
4. R. Radcliffe, private $33 20
5. Evan Corner, private 33 20
6. John Taylor, private 33 20
7. E. O'Brian, private 33 20
8. Charles Richards, private 33 20
   Mr. Johns certified, March 10, 1860, that the receipts for the above amounts were then on file in the State comptroller's office. Why said receipts are not submitted is not explained. The remark on voucher 1 for Tom's company is applicable to these vouchers, except that this amount is subject to suspension for want of proper receipts 166 00

A voucher for $100, paid James H. Raymond, paymaster of the companies in this class, appears with the vouchers of Travis's company, in class 1. The amount is there disallowed.

Recapitulation. Class III.

Conditions noted for class 2, recapitulation, if applied to this class, would leave the accounts submitted for the companies of Tom, Tobin, and English as follows:

Amount which should be—		
Allowed	$3,984 14	
Suspended	166 00	
Disallowed	435 87	
		$4,586 01
Brought down from preceding classes		72,561 06

Class IV.

Sansom's company.

It was asserted that this organization was employed from April 16 to July 16, 1856. It was paid for ninety days' services, under the governor's certificate of employment, from April 16, though the mustering officer certified that it was not mustered in until April 19, 1856. It appears that the principal, Sansom, was paid at the rate of $1.50 per day, and the men at $1 per day each, and not at the rate fixed for troops in the United States service.

This fact proves that this company was not a military organization, and the amounts paid to its members, for services alleged to have been rendered as troops, should be disallowed 1,155 00

Note.—The one voucher, filed on account of this company, is certified to by the so-called captain, who asserts that he witnessed the payment of the whole company. The signatures to the receipts are not witnessed, however, but all appear to have been written by one hand.

Davenport's company.

It is asserted that this organization was employed at various times between March 13, 1856, and June 1, 1857.

1. A roll was made out for three months' pay at the same rates as are noted for Sansom's company, but the full amount specified as due was not paid. It appears that John M. Davenport and Joseph G. Brown, the two principals, were each entitled to $135, but were paid only $60.39 each, and that the thirty-five men were each entitled to $90, but were paid only $45.70 each, leaving a balance due. For twenty of the men the money was paid to John M. Davenport on powers of attorney, which do not, on sight, present a favorable ap-

Voucher.

pearance. One J. M. McCormick, who belonged to the company, was at the same time, or subsequently became, clerk of a county court of which James B. Davenport was chief justice. Before one of these two individuals the powers of attorney, in favor of John M. Davenport, were executed. One of the documents represents that it was, in presence of the chief justice, signed by eighteen of the men. If the men were not all taught penmanship by one and the same tutor, then one person signed all the names in this instance, and the Davenport family thereupon received nearly all the money paid on this voucher, the amount of which should be disallowed..... $1,599 62

2. Neill Robinson, services as paymaster for the companies of Sansom, Davenport, and Black $100 00

The unsatisfactory manner in which this man discharged his duties and rendered his accounts should have debarred him from obtaining any pay. This amount should be disallowed..... 100 00

Black's company.

It is asserted that this company was in service at various times between January 1 and December 31, 1856.

A roll was made out for two months' pay at the rates noted for Sansom's company, but the full amount specified as due to each individual was not paid.

It appears that R. W. Black and James Moseley, the two principals, were each entitled to $90, but were paid only $45.70 each, and that the twenty-eight men were each entitled to $60, but were paid only $30.46 each, leaving a balance due.

For twenty of the men the money was paid to J. C. Ellis (a member of the company) on powers of attorney, signed by persons who apparently learned to write under one and the same master. John M. McCormick, who belonged to Davenport's company, and was clerk of a county court, also belonged to this company, and before him every one of the twenty powers of attorney was acknowledged. Under these circumstances it is difficult to determine who was in fact paid for services rendered in this instance; but it is suggested that the character of this voucher is sufficient to warrant a disallowance of its amount 791 98

RECAPITULATION OF CLASS IV.

The total claim should be disallowed.....	$3,646 60
Brought down from preceding classes.....	77,147 07

CLASS V.

The companies pertaining to this class were to serve as minute-men, and their employment was authorized by letters from the governor. How or where they served is not clearly set forth.

The evidence goes to show that, notwithstanding the apparent employment of this military force, Indians committed depredations in some of the very counties and during the very times in which these companies apparently existed as protectionists. The charges for all the companies are from December, 1857, to March, 1858, and the vouchers are as follows:

Carmack's company.

1. T. K. Carmack, first lieutenant	$269 00	
Any action that will allow reimbursement of any expenditure on account of this company will favorably consider this amount.....		969 00
2. Pay-roll of enlisted men.....	$2,352 30	
3. Use of pack-mule, at $8 per month.....	24 00	
4. Use of pack-mule, at $8 per month.....	24 00	
5. Use of pack-mule, at $8 per month.....	24 00	
6. Use of pack-mule, at $8 per month.....	24 00	
As on voucher 1, next above.....		2,448 30

Conner's company.

Voucher.			
1. John H. Conner, lieutenant	$86 75		
As on voucher 1 of Carmack's company, except that this amount is subject to suspension, as the officer's servant is not described			$86 75
2. Pay-roll of enlisted men	$3,758 27		
3-6. Use of pack-mules, at $8 per month	96 00		
As on voucher 1 of Carmack's company			3,758 27
7. W. L. Williams, private, for value of one horse and equipments, taken by the Indians, while in the service of the State of Texas. $105 00 This is certified to under oath by Lieutenant Conner, but it is not shown at what place, upon what date, and under what circumstances the horse was lost.			
As on voucher 1 of Carmack's company, except that this amount is subject to suspension			105 00

Hodges's company.

1. John S. Hodges, lieutenant, for services from December 14, 1857, to April 26, 1858	$564 75		
As on voucher 1, Carmack's company, except that this amount is subject to suspension, as the officer's servant is not described			564 75
2. Pay-roll of enlisted men	$2,384 00		
As on voucher 1, Carmack's company			2,384 00
3. John S. Hodges, reimbursement of amount expended for blacksmithing for three months	$4 00		
Hodges's receipt for the money, or the receipt of the party paid by him, is not found.			
As on voucher 1 of Carmack's company, except that this amount is subject to suspension			4 00
4. Horseshoeing	$51 50		
As on voucher 3, next above, suspended			51 50
5-7. Use of pack-mules, at $8 per month	$72 00		
As on voucher 1, Carmack's company			72 00
8. Use of pack-mule	$24 00		
The receipt of the party paid is not produced.			
As on voucher 1 of Carmack's company, except that this amount is subject to suspension			24 00

Frost's company.

1. T. C. Frost, lieutenant	$376 50		
As on voucher 1 of Carmack's company, except that this amount is subject to suspension for want of a description of the officer's servant			376 50
2. Pay-roll of enlisted men	$2,390 75		
As on voucher 1 of Carmack's company, except that this amount is subject to suspension for want of witnesses to receipts for the money			2,390 75
3. Use of four pack-mules, three months each, at $8 per month	$96 00		
As on voucher 1 of Carmack's company, except that this is subject to suspension for want of powers of attorney to support the receipts of the parties paid			96 00

RECAPITULATION.

If a United States law authorized and directed the Secretary of War to settle and adjust, "on just and equitable principles," the claims submitted in connection with the companies of Carmack, Conner, Hodges, and Frost, an enforcement of the rules of the War Department would leave the accounts as follows:

Amount which should be—		
Allowed	$11,514 32	
Suspended	1,212 50	
		$12,726 82
Brought down from preceding classes		80,793 67

CLASS VI.

It is alleged that the companies in this class were in service at various times in the year 1858. These organizations were authorized by the governor, and they killed at least seventy-six Comanches during an expedition into the Cherokee country.

The vouchers are as follows:

Ford's company.

Voucher.

1. Pay-roll, January 10 to August 10, 1858 ..... $18,691 11
The governor's instructions to Ford were, viz:
"In all matters pertaining to your duties as commander of the State troops, you will co-operate with the officers of the Regular Army, if expedient, convenient, or practicable."
In view of this fact it is suggested that this command was entirely a State affair, *i. e.*, an independent military establishment, with which the United States authorities had nothing to do, therefore this amount should be disallowed $18,691 11

NOTE.—Of the foregoing amount $207.94, in items 40 and 90, are receipted by proxy, but powers of attorney are not filed.

2. Roll of property lost by privates and paid for by the State.. $568 00
As on voucher 1, above, and in addition:
A power of attorney is not filed to support a receipt by proxy for $194 of this amount, which should be disallowed 568 00

The following-mentioned vouchers are for pay and allowances of officers of the Ford company from January 10 to August 5, 1858:

3. John S. Ford, captain $1,420 65
4. E. Burleson, first lieutenant 977 00
5. A. Nelson, second lieutenant 917 00
6. W. A. Pitts, second lieutenant 917 00
7. J. H. Tankersley, lieutenant 825 12
As on voucher 1, above, and in addition:
Burleson and Pitts having been commissioned lieutenants for this company, Nelson and Tankersley were supernumerary officers, and should not have been paid. The whole amount should be disallowed. 5,056 77

8. Abstract of purchases made by Ed. Burleson, lieutenant and acting assistant quartermaster for Ford's companies $13,095 13
This amount embraces charges for large quantities of property not perishable, and not accounted for.
Among the items are six horses, thirty mules, and three wagons. The amount of this voucher would be subject to suspension were it not for the remark on voucher 1, under which it should be disallowed.. 13,095 13

9. Transportation and repairs $3,398 58
10. Ordnance-stores 670 38
As on voucher 1; disallowed 4,068 96

11. Ed. Burleson, mileage $72 00
As on voucher 1, and, in addition:
Orders for the journeys are not submitted; disallowed 72 00

12. S. M. Swenson, contractor for subsistence furnished $1,529 70
As on voucher 1, and, in addition:
The correctness of this voucher is certified to by Lieutenant Burleson and is approved by Captain Ford. Abstracts of rations received and issued are not submitted, and the dates upon which the subsistence was furnished are not stated; disallowed 1,529 70

13. S. M. Swenson, subsistence $1,000 00
14. S. M. Swenson, subsistence 2,800 00
15. S. M. Swenson, subsistence 4,000 00
16. S. M. Swenson, subsistence 2,135 07
As on voucher 12, and, in addition:
Receipts for the money are not submitted; disallowed 9,935 07

17. Robert Cutter, extra-duty pay as commissary clerk, at 40 cents per day $72 80
This man was first sergeant of the company, and under the customs of the military service could not have been properly detailed as clerk. An order placing him on extra duty, detached service, is not filed, and dates of service are not stated. Otherwise, the remarks on voucher 1 apply to this voucher; the amount of which should be disallowed 72 80

18. J. H. Tankersley, lieutenant $178 76
As on voucher 1, and, in addition:
This lieutenant was paid in full on voucher 7, and this is a duplicate. 178 76

19. H. R. Runnell's expressage $70 00
Charge not supported by a receipt; disallowed 70 00
The governor's receipt, or the receipt of the party paid, is not submitted. Dates of service are not stated.
As on voucher 1, this amount should be disallowed .....

Voucher.

20. Miscellaneous expenses $2,220 66
Items 1, 4-7, 9, 10, and 12, amounting to $470.98, are for expenses of expressmen, printing, keeping a mule, ordnance-stores and horse-hire. Excepting items 6 and 7, receipts of the parties paid are not submitted. The remarks for voucher 1 are applicable to this amount, which should be disallowed $470 98
Items 2, 3, 8, 11, and 15 are duplicates of payments made by items 1, 2, 3, and 5-18 of vouchers 1 for Williams's company; therefore the amount should be disallowed 1,050 00
Item 13. John Williams, pay and allowances as first lieutenant, two months, from May 24 to July 24, 1858 ..... $287 66
As on voucher 1; should be disallowed 287 66
Item 14. S. M. Swenson, 1,260 complete rations for Williams's company, May 20, 1858 ..... $412 02
As on voucher 12, except that here Williams certified and the governor approved the account. The receipt of the party paid is not submitted. This amount should be disallowed 412 02

W. G. Preston's detachment.

21. Pay-roll of enlisted men, April 20 to June 30, 1858 ..... $1,150 45
This detachment was called into service by Captain Ford.
In most instances the amounts paid exceeded the totals due per items correctly added. Twenty-four dollars was paid for a pistol lost by Private Hill, but a receipt for the amount is not submitted. On this roll many of the signatures, purporting to be the genuine signatures of the men, were written by one person, whose authority to sign by proxy is not submitted.
As on voucher 1, should be disallowed 1,150 45
22. W. G. Preston, second lieutenant $283 42
As on voucher 1, should be disallowed 283 42

W. N. F. Marlin's company.

1. Pay-roll of enlisted men, from February 24 to April 4, 1859 .. $752 59
This company was employed by Ford in 1858, and when he was about to pay it, in 1859, it was reported that Indians were about, so he reassembled the company, and thus brought it into active service again for "six months, unless sooner discharged." It was sooner discharged, and the amounts paid to it for service in connection with this class, and for other services, are embraced in voucher 8 of Ford's company, class 7, duplicating this charge, which should here be disallowed 752 59

John Williams's company.

1. Pay-roll $1,085 60
Of the twenty items on this roll, the money for fifteen was paid to Sergeant D. C. Cowan, whose powers of attorney are not submitted, and for five paid at the State treasury, receipts are not produced.
As on voucher 1 of Ford's company, this amount should be disallowed 1,085 60

RECAPITULATION. CLASS VI.

The troops of this class formed a military establishment entirely independent of the United States authorities, as will be seen by reference to page 14 of House Executive Document No. 27 of the second session of the Thirty-fifth Congress, which shows that the governor wrote to Ford:

"Of course you will not be expected to submit to any improper interference in the execution of your duties from any quarter." It also appears therein that "the efficiency or good of the State service" was in this instance considered paramount to anything the United States military authorities in Texas could have said or done.

In view of the foregoing facts it is respectfully submitted that the total charged in this class should be disallowed $58,831 02
Brought down from preceding classes 93,520 49

CLASS VII.

Bourland's company.

Voucher.

This was a State organization entirely independent of any United States authority. It was authorized by the governor, whose instructions to the captain (see paper 90) show the purposes for which it was raised. The vouchers are as follows:

1. Roll for pay and allowances to enlisted men from October 28, 1858, to January 28, 1859.
   Abstracted for $6,126 46
   To which add, for an error in addition 55 28
   Correct amount of roll 6,181 74
   Powers of attorney filed in connection with payments made for members of this company are in several cases informal, as in cases noted in class 1.
   Items 1–14 and 16–78 ..... $6,111 76
   Remark.—Any action that will allow reimbursement of any expenditure on account of this company will favorably consider this amount, subject to petty deductions $6,111 76
   Item 15. William Dawson, services as private, November 13, 1858, to January 28, 1859, two months and sixteen days $69 98
   The muster-out roll shows that this man was discharged December 22, 1858, unable for duty. The overcharge for one month and six days should be disallowed 33 15
   And for the balance the remark on the other items of this voucher is applicable 36 83
2. Roll for pay and allowances to enlisted men from January 28 to April 28, 1859 ..... $2,778 88
   As on voucher 1 (except item 15) 2,778 88
3. Patrick O'Gorman, services as paymaster's clerk for two months at $700 per annum $116 66
   The dates of service are not stated, and the account is not certified. This is not a proper charge to be connected with the employment of a company of militia or volunteers; therefore the amount should be disallowed 116 60
   Officers' pay-accounts from October 28, 1858, to April 28, 1859, viz:
4. James Bourland, captain $1,077 00
5. E. C. Perry, first lieutenant 977 00
6. G. H. Fitzhugh, second lieutenant 917 00
   The remark on voucher 1 is applicable to these vouchers, the amounts of which are subject to suspension, as the officers' servants are not described 2,971 00
7. William Hunter, surgeon, from February 7 to March 8, 1859 .. $67 74
8. G. L. Scott, surgeon, from October 28, 1858, to February 1, 1859, and from March 12 to April 12, 1859 ..... $389 50
   The names of these medical gentlemen do not appear on the rolls, and there is nothing submitted to show that they were employed under contract, in accordance with the Army Regulations. For each voucher a power of attorney, not witnessed, is filed, and the money was receipted for by proxy. This amount should be disallowed ... 547 24
9. M. Poindexter, expressman $10 00
   The remark on voucher 1 is applicable to this amount, which is subject to suspension for want of dates of service 10 00
10. Alexander Boutwell, pay and allowances as second lieutenant, from October 28, 1858, to January 28, 1859 ..... $458 50
    The officer's servant is not described. As two lieutenants were paid, on vouchers 5 and 6, for the whole time this company was in service, this amount for a supernumerary officer should not have been paid, and should here be disallowed 458 50
11. W. T. Peery, use of wagon and team $155 00
    Remark as on voucher 1 ..... 155 00

Ford's company.

This company was authorized by the governor of Texas, who commissioned the company officers on the 10th of November 1858. The vouchers are as follows:

Voucher.

1. Roll of pay and allowances to enlisted men from November 10, 1858, to May 10, 1859 ..... $11,443 10
Powers of attorney in some instances are informal, as in other cases heretofore noted.
Item 1 is signed by attorney, but a power of attorney to support the receipt is not submitted; the amounts of items 23, 24, and 73 in part are not receipted for. In view of these facts this amount should be disallowed $496 85
Item 40, the amount of which is deducted from the roll, requires no action.
The remaining items on this voucher come under the remark on voucher 1 of Bourland's company, except that this is the amount to be disposed of 10,946 25

2. James V. Ross, extra-duty pay as clerk in commissary department November 10, 1858, to May 10, 1859, at 25 cents per day $45 00
Remark.—Any action that will allow reimbursement of any expenditure on account of this company will favorably consider this amount 45 00

3. John R. Gibbons, first lieutenant $816 54
As on voucher 1, next above, except that this amount is subject to suspension for want of a description of the officer's servant 816 54

4. Aaron Burleson, second lieutenant $763 80
As on voucher 2 ..... 763 80

5. J. H. Huffman, extra-duty pay as hospital-steward, December 10, 1858, to May 10, 1859, 150 days, at 25 cents per day $37 50
An order assigning this man to extra duty on detached service is not submitted, and the correctness of the account is not certified to by any one; therefore this amount should be disallowed 37 50

6. Charles E. Barnard, for 1,944 rations of subsistence, at 39 cents each, April 5, 1859 ..... $757 96

7. In part. C. E. Barnard, 2,160 rations, November 15, 1858 ..... $842 40
The correctness of these vouchers is not certified to by any one. In the absence of proper vouchers, this amount should be suspended in part 1,600 36
Amounts paid to various persons on subvouchers, viz:

1. Ed. Burleson, for 27 mules, 5 horses, and 3 sets horse-equipments $2,486 00
The correctness of this voucher, or subvoucher, is not certified to by any one. The property is not accounted for. These defects are sufficient to warrant a disallowance of this amount 2,486 00
No. 2. Sampson & Henricks, ordnance stores $268 00
No. 3. S. M. Swenson, 1 wagon, 4 sets harness, and 21 blankets. 222 50
No. 4. E. D. Walker, equipments 923 00
No. 5. A. W. Anderson, spades 7 75
As on subvoucher No. 1 of this voucher, should be disallowed 1,421 25
No. 6. Ed. Burleson, 600 yards "Lowells" $108 00
The correctness of this subvoucher is certified to by John S. Ford, but it is not understood for what purpose this article was purchased, and, there being no accountability for the property, this amount should be suspended 108 00
No. 7, in part. C. E. Barnard, 514¾ bushels corn, at $1.70 .... $874 28
The correctness of this subvoucher is not certified to by any one. In the absence of a proper voucher, suspended 874 28
No. 8. C. E. Barnard, medicines, and articles of imperishable property $88 48
As on subvoucher No. 1, disallowed 88 48
No. 9. C. E. Barnard, forage $883 00
As on subvoucher No. 7, in part, suspended 883 00
No. 10, Ed. Burleson, forage $7,452 00
This is certified to by Ford; but, as Burleson was acting assistant quartermaster and acting commissary subsistence, an absence of the receipts of parties from whom he purchased the forage warrants a suspension of this amount 7,452 00

8. This is an abstract of expenditures made by Ford, and the subvouchers are as follows:
No. 1. J. W. Bennett, blacksmithing $182 75
The correctness of this subvoucher, or of the voucher, is not certified to by any one, and, as the property in connection with which this expense was incurred is not satisfactorily accounted for, this amount should be disallowed 182 75

Voucher.

No. 2. A. W. Anderson, transportation of property	$28 55	
No. 3. F. T. Duffan, supplies	250 00	
As on subvoucher No. 1, next above		$278 55
No. 4. John Shirley, services as physician	$120 00	
The account is not certified to by any one, and it is not shown that the physician was employed under contract, or was noted on the company-roll in accordance with Army Regulations. This amount should be disallowed		120 00
No. 5. A. J. Dyche, horseshoeing	$30 00	
In the absence of evidence to show that this account is correct, and that the services were actually rendered, and were necessary for the public service, this amount should be disallowed		30 00
No. 6. T. Weaver, blacksmithing	$266 66	
No. 7. J. Marshall & Co., advertising	1 50	
No. 8. John S. Miller, transportation	25 00	
No. 9. J. S. Perry, advertising	3 00	
No. 10. A. Guajarde, muleteer	150 00	
No. 11. M. Basques, muleteer	150 00	
No. 12. J. M. Caders, muleteer	150 00	
No. 13. Ed. Finnin, services	91 00	
No. 14. J. Vascabaso, muleteer	150 00	
No. 15. J. M. Salinas, muleteer	150 00	
As on subvoucer No. 5, should be disallowed		1,137 16
No. 16. W. E. Oakes, surgeon	$600 00	
As on subvoucher No. 4, should be disallowed		600 00
No. 17. Roll of men on extra duty	$153 00	
Dates of service are not stated, orders placing the men on detached service are not submitted, and the correctness of the account is not certified to by any one. This subvoucher's defects are sufficient to warrant a disallowance of this amount		153 00
No. 18. Pay-roll of enlisted men of Lieut. W. N. P. Marlin's company, from February 24 to April 4, 1859	$752 59	
This charge appeared in class 6, but was there disallowed to be considered here. Captain Ford called this company into service. Of the signatures, representing those of twenty men, on this roll, fifteen are signed in the handwriting of Marlin, and, in the absence of powers of attorney, this amount should be disallowed, as it was paid upon a falsified voucher		752 5
No. 19. Pay-roll of enlisted men of Lieut. W. N. P. Marlin's company, from July 15 to November 14, 1858	3,346 00	
No. 20. W. N. P. Marlin, lieutenant	611 32	
The officer's servant is not described on No. 20. These charges properly belonged in class 6, wherein the remarks on voucher 1 of Ford's company are applicable to these subvouchers, the amount of which should be disallowed		3,957 32
No. 21. Jack Williams, guide	270 00	
As on subvoucher No. 5, disallowed		270 00

Brown's company.

From the heading on its muster-roll, this organization appears to have been called out by peace commissioners who were sent to the Brazos agency to represent the State in the settlement of reported disturbances. It seems, from the charges in this case, that it took about seventy days to settle the difficulties, though this is only shown by the fact that the State paid the company for services from July 1 to September 12, 1859, and it is not shown by any other evidence. The vouchers are as follows:

1. Pay-roll of officers and enlisted men $8,660 06

The officers were one captain, two surgeons, two first and two second lieutenants; but should have been, for one company, one captain, and two lieutenants, and a contract physician, if necessary.

Powers of attorney filed in connection with amounts paid on this roll are informal, as in cases heretofore noted.

Of the amounts paid on this voucher, the captain, J. Henry Brown, received for his pay, and as attorney, the sum of $3,524.78, and J. H. Raymond, an attorney, received $1,513.06.

The employment of this company was purely a State affair. In the absence of evidence of date in 1859, to confirm J. Henry Brown's

Voucher.

statements, or to show that the peace commissioners actually called this company into service, and necessarily kept it employed during the time charged for, this amount should not be entertained as subject to reimbursement, but should be disallowed, the same being an improper charge against the United States $8,660 06

NOTE.—Item 63 is overcharged $26.10.

2. E. M. Cox, extra-duty pay $7 50
3. William Sharp, extra-duty pay 7 50
4. H. L. Burt, extra-duty pay 15 25
5. B. G. Edwards, extra-duty pay 13 50
6. W. J. Perrymen, extra-duty pay 16 50
7. John Danley, extra-duty pay 26 40
8. W. B. Whittington, extra-duty pay 25 00

Orders putting these men on extra duty, detached service, are not submitted.

As on voucher 1, this amount should be disallowed 111 65

9. J. H. Brown, mileage $16 20

An order, from superior authority, authorizing or directing the captain to perform a journey at public expense is not filed, and the dates of service are not stated.

As on voucher 1, disallowed 16 20

10. J. H. Brown, reimbursement of expenses incurred for burial of Private Smith Estes $20 00

Receipts for the amounts paid by Brown are not produced.

As on voucher 1, disallowed 20 00

RECAPITULATION. CLASS VII.

If a United States law authorized and directed the Secretary of War to settle and adjust, "on just and equitable principles," the claim submitted in connection with the companies of Bourland, Ford, Marlin, and Brown, an enforcement of the rules of the War Department would leave the accounts as follows:

Amount which should be—		
Allowed	$20,837 52	
Supended	14,715 18	
Disallowed	21,884 91	
		$57,437 61
Brought down from preceding classes		152,351 51

CLASS VIII.

Not less than seven companies of volunteers or rangers appeared in the history of this class, but for some reason not explained accounts are submitted for only one of the seven, and for a company not alluded to in any of the correspondence of 1859–'60.

Hampton's company.

This was one of the seven organizations that operated in the Cortinas affair, between December 18, 1859, and January 1, 1860.

The papers submitted are principally in reference to issues of rations and concerning property accountability, but one voucher being filed for moneys paid.

1. Receipt-roll of four items, viz:

Hire of wagon and team	$200 00
Guide	75 00
Muleteer	41 66
Quartermaster's clerk	83 32

The correctness of this roll is certified to by G. J. Hampton, captain and quartermaster.

No item of expenditure made on accout of a company of volunteers that has been disbanded should be reimbursed by the United States until full and complete money accounts pertaining to the company's services and expenses are filed and passed upon; therefore this amount should be disallowed 399 98

Berry's company.

Voucher.

This was mustered in by W. G. Tobin, November 10, 1859, and was mustered out by him December 20, 1859.

Several forage requisitions and reports of persons and articles hired are filed with the receipt-roll of quartermaster's employés, and six receipts for amounts paid for rations for this company. This roll and these receipts form the only money transactions exhibited for this company.

The State abstract calls for	$6,011 33	
The roll and receipts filed are for	2,473 00	
The difference claimed is not supported by vouchers; therefore cannot be favorably considered, but must be classed disallowed		$3,538 33
For the reasons stated in the remarks for the voucher submitted for Hampton's company, this amount should be disallowed		2,473 00

RECAPITULATION. CLASS VIII.

Amount which should be disallowed	$6,411 31
Brought down from preceding classes	209,789 12

CLASS IX.

Governor Houston reported in 1860 that the State then had in its employ thirty-four organizations, making an aggregate of 1,305 men; but the accounts submitted for this class are for supplies and appear to pertain to one company only, viz:

Burleson's.

The vouchers are as follows:

1. Abstract of purchases made by J. E. McCord, lieutenant and acting assistant quartermaster. $1,315 30

The aticles purchased were six mules, six pack-saddles, 461¼ bushels corn, and horseshoeing materials. The animals and saddles were turned over to the State authorities, who give no credit on this voucher for the valuation of the articles.

Remarks.—Pay-rolls for the members of this company are not submitted, and the amounts now claimed are for only a part of the expenses incurred on account of this company. No item of expenditure made on account of a company of volunteers that has been disbanded should be reimbursed by the United States until full and complete money accounts pertaining to the company's services and expenses are filed and passed upon; therefore this amount should be disallowed 1,315 30

2. Abstract of expenditures for transportation and for services rendered by quartermaster's employés $539 75
3. Ordnance stores 20 00
4. Medicines 286 00
5. Subsistence 18 00

The remarks for voucher 1 are applicable to these vouchers. This amount should be disallowed 863 75

6. Leather, rope, and buckles $30 52

For this amount Lieutenant and Acting Assistant Quartermaster McCord receipted as attorney for Dodge and Fisher, but a power of attorney is not submitted.

The remarks on voucher 1 are applicable to this voucher. This amount should be disallowed 30 52

The State abstract for this class calls for reimbursement of amounts, viz:

Paid by McCord	$2,000 00
Paid at State treasury	4,943 46
Total	6,943 46

The vouchers filed are for $2,209.57, and for this balance, claimed to have been paid at the State treasury, no vouchers are submitted; therefore this amount should be disallowed 4,733 89

RECAPITULATION. CLASS IX.

Amount which should be disallowed	$6,943 46
Brought down from preceding classes	216,200 43

SYNOPSIS.

The State abstract calls for		$223,011 76
To this amount there should be added for errors in addition, viz:		
On Boggess's roll, class 1	$76 85	
On Bourland's roll, class 7	55 28	
		132 13
Correct total		223,143 89

Which, in the foregoing report, is conditionally disposed of as follows:

Class of troops or accounts.	Amount which should be—			Aggregate.
	Allowed.	Suspended.	Disallowed.	
One	$16,283 21	$3,942 14	$99,960 82	
Two	13,323 86	4,879 72	4,172 31	
Three	3,984 14	166 00	435 87	
Four			3,646 60	
Five	11,514 32	1,212 50		
Six			58,831 02	
Seven	20,837 52	14,715 18	21,884 91	
Eight			6,411 31	
Nine			6,943 46	
Total	65,942 05	24,915 54	132,986 30	$223,143 89

In order that the foregoing tabular statement may not be misconstrued, I respectfully submit that the evidence found in reference to these Texas claims does not exhibit any good ground for actual responsibility on the part of the United States Government for anything more, in this case, than $20,225.35, which, in the "Synopsis," is the sum of the first two items for the troops of class 1; and that the balance, viz, $202,918.54, was paid on account of troops or rangers, for the employment or support of which the United States, or their duly authorized agents, aside from the act of June 21, 1860, were not at all responsible.

And I further submit that a reimbursement of the last-mentioned amount or a recognition of the services of the men to whom it was paid will be the commencement of a responsibility of which the end—though it may be made to appear in the case of the State of Texas—cannot be foreseen, so far as the United States Government may be concerned.

Very respectfully, your obedient servant,

THOS. H. BRADLEY,
First Lieutenant Twenty-first Infantry,
Brevet Captain, United States Army.

List of papers.

No.	Date.	From and to whom.
1	September 30, 1852	Secretary of War to governor of Texas.
2	June 19, 1854	Secretary of War to General Persifor F. Smith.
3	July 29, 1854	General Persifor F. Smith to Secretary of War, indorsed by latter August 24, 1854.
4	July 29, 1854	General Persifor F. Smith to governor of Texas.
5	July 30, 1854	Captain P. Calhoun, United States Army, to assistant adjutant-general Department of Texas.
6	August 2, 1854	Captain P. Calhoun, United States Army, to assistant adjutant-general Department of Texas.

List of papers—Continued.

No.	Date.	From and to whom.
7	August 8, 1854	Governor of Texas to General Persifor F. Smith.
8	August 12, 1854	Lieutenant S. B. Holabird, United States Army, to adjutant First Infantry.
9	August 17, 1854	General Persifor F. Smith to Adjutant-General United States Army.
10	August 20, 1854	General Persifor F. Smith to Adjutant-General United States Army.
11	August 24, 1854	Secretary of War to the Secretary of State.
12	August 25, 1854	Adjutant-General to General Persifor F. Smith.
13	August 29, 1854	Secretary of War to governor of Texas.
14	October 9, 1854	General Persifor F. Smith to Adjutant-General, indorsed by Secretary of War.
15	October 30, 1854	General Persifor F. Smith to Adjutant-General United States Army.
16	January 23, 1855	Secretary of War to Hon. J. D. Bright, United States Senate.
17	January 24, 1855	Secretary of War to Hon. P. H. Bell, House of Representatives.
18	March 10, 1855	General Persifor F. Smith to Adjutant-General United States Army, indorsed by Secretary of War April 11, 1855.
19	March 14, 1855	General Persifor F. Smith to Adjutant-General United States Army.
20	March 23, 1855	General Persifor F. Smith to Adjutant-General United States Army, indorsed by Secretary of War April 11, 1855.
21	April 9, 1855	J. E. Doss, William G. Thomas, and Charles A. Campbell to Secretary of War.
22	May 12, 1855	Secretary of War to above citizens of Texas.
23	May 28, 1855	General Persifor F. Smith to Adjutant-General United States Army.
24	June 20, 1855	Governor of Texas to General Persifor F. Smith.
25	July 5, 1855	Governor of Texas to John H. Callahan, esq.
26	July 14, 1855	General Persifor F. Smith to Adjutant-General United States Army.
27	July 25, 1855	Governor of Texas to citizens of Bexar County.
28	July 25, 1855	Governor of Texas to John H. Callahan, esq.
29	September 5, 1855	Governor of Texas to General Persifor F. Smith.
30	September 5, 1855	Governor of Texas to C. Evans, B. E. Edwards, and H. B. Saunders.
31	September 8, 1855	General Persifor F. Smith to Adjutant-General United States Army.
32	September 12, 1855	Robert S Neighbours to Captain G. R. Paul, United States Army.
33	August 30, 1855	United States agent's treaty with Texas Indians.
34	September 15, 1855	Captain G. R. Paul, United States Army, to Robert S. Neighbours, esq.
35	September 16, 1855	Captain G. R. Paul, United States Army, to assistant adjutant-general Department of Texas.
36	September 25, 1855	Governor of Texas to certain citizens of State.
37	September 29, 1855	Secretary of War to Secretary of State.
38	October 4, 1855	Captain Sidney Burbank, United States Army, to assistant adjutant-general Department of Texas.
39	October 4, 1855	Governor of Texas to Lieutenant Edward Burleson, volunteer.
40	October 7, 1855	Assistant adjutant-general Department of Texas to Captain Sidney Burbank, United States Army.
41	October 7, 1855	Captain G. R. Paul to assistant adjutant-general Department of Texas.
42	October 7, 1855	S. F. Ross, agent, to Robert S. Neighbours, agent.
43	October 7, 1855	J. R. Baylor to Robert S. Neighbours.
44	October 8, 1855	Captain Sidney Burbank, United States Army, to assistant adjutant-general Department of Texas.
45	October 8, 1855	Assistant adjutant-general Department of Texas to Brevet Colonel William Loring, United States Army.
46	October 9, 1855	Captain Sidney Burbank, United States Army, to assistant adjutant-g neral Department of Texas.

List of papers—Continued.

No.	Date.	From and to whom.
47	October 9, 1855	Assistant adjutant-general Department of Texas to Captain Sidney Burbank, United States Army.
48	October 10, 1855	General Persifor F. Smith to Adjutant-General United States Army.
49	October 11, 1855	Assistant adjutant-general Department of Texas to Captain Sidney Burbank, United States Army.
50	October 11, 1855	General Persifor F. Smith to governor of Texas.
51	October 12, 1855	General Persifor F. Smith to Adjutant-General United States Army, indorsed by Secretary of War November 3, 1855.
52	October 14, 1855	General Persifor F. Smith to Adjutant-General United States Army.
53	October 16, 1855	Captain Sidney Burbank to assistant adjutant-general Department of Texas.
54	October 17, 1855	Governor E. M. Pease to General Persifor F. Smith.
55	October 17, 1855	General Persifor F. Smith to Adjutant-General United States Army.
56	October 20, 1855	Robert S. Neighbours to General Persifor F. Smith.
57	October 21, 1855	General Persifor F. Smith to governor of Texas.
58	October 21, 1855	General Persifor F. Smith to Adjutant-General United States Army.
59	October 21, 1855	Captain G. R. Paul, United States Army, to assistant adjutant-general Department of Texas.
60	November 9, 1855	Secretary of War to Secretary of State.
60½	November 16, 1855	Extracts from roll of William Tom's company.
61	November 15, 1855	Extracts from roll of William G. Tobin's company.
61½	December 6, 1855	General Persifor F. Smith to Señor Don Emilio Langberg, commanding forces of the Mexican Republic in Coahuila.
62	December 6, 1855	General Persifor F. Smith to Adjutant-General United States Army.
64	December 18, 1855	Governor to J. D. Pitts.
65	January 3, 1856	Governor to legislature of State.
66	February 4, 1856	Governor to Giles S. Boggess.
67	February 5, 1856	Governor to James W. Throckmorton.
68	March 22, 1856	Governor to Colonel A. M. M. Upshur.
69	March 31, 1856	Governor to John H. Callahan *et al.*
70	April 10, 1856	Governor to Colonel John D. Pitts.
71	May 1, 1856	Governor to James H. Raymond.
72	June 17, 1856	Extracts from roll of Davenport's company.
73	August 4, 1856	Governor to State legislature.
74	August 25, 1856	Legislative act. (See supplement, following.)
75	October 1, 1856	Governor to James H. Raymond.
76	September 16, 1857	Secretary of War to General D. E. Twiggs.
77	November 11, 1856	Levi English's affidavit. (See supplement, following.)
78	November 3, 1857	Governor to Messrs. Bryan and Reagan.
79	November 23, 1857	Governor to Thomas K. Carmack, John H. Conner, and Neill Robinson.
80	November 23, 1857	Governor's instructions to officers, Texas volunteers.
81	December 7, 1857	Resolution, State legislature.
82	December 19, 1857	Governor to Thomas C. Frost.
83	December 19, 1857	Governor commissions J. S. Hodges.
84	December 22, 1857	Governor commissions John H. Conner.
85	January 28, 1858	Thomas C. Frost reports to governor.
86	February 8, 1858	Governor commissions John S. Ford.
87	February 9, 1858	Governor commissions Lieutenant Edward Burleson.
88	May 20, 1858	Governor commissions W. A. Pitts.
89	May 25, 1858	Governor authorizes Williams's company.
90	July 27, 1858	Governor to Neill Robinson.
91	October 13, 1858	Governor to Neill Robinson.
92	October 4, 1858	Governor to Lieutenant John Williams.
93	October 4, 1858	Governor to Colonel James Bourland, with memoranda of instructions.
94	November 8, 1858	Governor commissions James Bourland.
	November 2, 1858	Governor to Secretary of War.
	November 10, 1858	Governor's instructions to John S. Ford.
		Governor commissions John S. Ford.

List of papers—Continued.

No.	Date.	From and to whom.
95	November 10, 1858	Governor commissions lieutenants.
96	January 8, 1859	Second Auditor to Adjutant-General United States Army.
97	January 8, 1859	Memoranda of payments to six companies.
98	January 11, 1859	Secretary of War to Senate Military Committee.
99	January 17, 1859	Commissary-General Subsistence to Adjutant-General United States Army.
100	January 29, 1859	Quartermaster-General to Adjutant General United States Army.
101	February 1, 1859	Adjutant-General to Secretary of War.
102	February 2, 1859	Secretary of War to Senate Military Committee.
103	March 19, 1859	Governor's receipt for Bourland's rolls.
104	April 5, 1859	Decision of Secretary of War.
105	June 6, 1859	Governor's peace commission for Brazos agency.
106	July 1, 1859	Extract from roll of company called out by peace commissioners.
107	July 14, 1859	Decision of Secretary of War.
108	July 16, 1859	Decision of Secretary of War (on page 375, Senate Document No. 2, first session Thirty-sixth Congress).
109	October 13, 1859	Governor to W. G. Tobin.
110	November 17, 1859	Governor to John S. Ford.
111	January 23, 1860	Governor to J. M. Swisher.
112	February 28, 1860	Governor to Secretary of War.
113	March 3, 1860	Second Auditor to Secretary of War.
114	March 12, 1860	Third Auditor to Secretary of War.
115	March 14, 1860	Secretary of War to governor. (See page 145, House Executive Document 52, first session Thirty-sixth Congress.)
116	March 31, 1860	Secretary of War to Senate Military Committee.
117	September 11, 1860	Secretary of War to secretary State of Texas.
118	November 15, 1860	Decision of Secretary of War, *necessity*.
119	December 17, 1860	Secretary of War to governor.
120	January 25, 1861	Governor's certificates.
121	February 13, 1861	Second Auditor to Secretary of War.
122	February 23, 1861	Third Auditor's report approved by the Secretary of War.
123	February 23, 1861	C. R. Johns to Second Auditor.
124	February 23, 1861	Third Auditor to Secretary of War.
125	May 11, 1861	J. M. McCormick's affidavit.
126	May 13, 1861	R. W. Black's affidavit.
127	May 12, 1871	Act of legislature of Texas.
128	October 28, 1871	Governor to James P. Newcombe.
129	October 28, 1871	Memoranda.
130	November 11, 1871	James P. Newcombe to Secretary of Treasury, referred by letter to Secretary of War.
131	November 16, 1871	James P. Newcombe to Secretary of War.
132	November 16, 1871	Secretary of War to James P. Newcombe.
133	November 18, 1871	James P. Newcombe to Secretary of War.
134	January 18, 1872	Resolution of House of Representatives.
135	January 19, 1872	Secretary of War to House of Representatives.
136	.....	A of first amount claimed.
137	.....	Abstract of second amount claimed.
		SUPPLEMENT.
138	August 25, 1856	Act of legislature for relief of Boggess.
139	November 11, 1856	Levi English's power of attorney to H. W. Sublett.
140	——— 1872	Pamphlet—Piedras Negras's claims in the American and Mexican Joint Commission.

WAR DEPARTMENT, *April 27, 1872.*

This is to certify that the papers hereunto annexed and numbered 1-60, 60½, 61, 61½, 62, and 64-139 are true copies of originals or certified copies of papers found at this office.

THOS. H. BRADLEY,
First Lieutenant Twenty-first Infantry, Brevet Captain United States Army.

No. 1.

WAR DEPARTMENT, *Washington, September* 30, 1852.

SIR: The President has referred to this department your excellency's letter of the 9th ultimo, with the documents therein inclosed. Your excellency says that repeated representations have been made to this [your] department by all the most influential and respectable residents of the Rio Grande Valley, of their desperate situation and the insecurity of life and property in that section of the State, occasioned by the total inadequacy of the present military establishment in Texas to check the murders and depredations of lawless bands of Indians and Mexicans, and that, in consequence of these representations, you had felt it your duty to take immediate steps for the relief of the Lower Rio Grande, and with that view had called into the service of the State three companies of mounted volunteers (numbering in all about two hundred men rank and file), for the period of six months, who are to act in concert with the United States troops stationed in that quarter. Your excellency concludes by requesting that the "general government will recognize the services of these volunteer troops, and make such further and more permanent disposition as upon examination shall be found necessary to restore that peace and security to which that [this] unfortunate country has so long been a stranger."

You inclose various communications made to you by citizens of Texas on this subject.

Your excellency is probably aware that the Executive has repeatedly informed Congress that the military establishment of the country was inadequate to the protection of its widely extended frontier, and recommended that it be authorized to raise additional force for that purpose. Congress has seen fit to disregard these recommendations at a time when the necessity for their adoption was more apparent than it is at present. Before the last adjournment of Congress it was well known that there was reason to apprehend an extensive outbreak of the Indians on the frontier of Texas, and the very facts communicated in your excellency's letter must have been known to the Senators and Representatives of your State in Congress. Nevertheless that body adjourned without taking any steps on this subject.

Within a few weeks past the department has been informed by the reports of its officers not only that the rumors that the Indians were preparing extensive hostilities were unfounded, but that, in fact (with a few partial exceptions), they have not been for a long time as peaceably disposed. All accounts concur in representing the Comanches as unusually quiet; and, by advices received from Colonel Sumner, it appears that treaties of peace have been concluded with the Navajoes and the Apaches (the most powerful nations on the confines of New Mexico and Texas); that there are now treaties of peace with all the Indians in New Mexico; and that, with the exception of some of the roving bands of the plains, the Indians in that section of the country have ceased to be troublesome.

Under these circumstances, even if there were a manifest necessity for an additional increase of the military establishment, the Executive would hesitate to call into the service of the government a description of force which, while it is far less effective than that which Congress has refused to authorize, is more expensive. But the President is not satisfied that the facts contained in the papers transmitted by your excellency would warrant him in taking this step. The only law under which the President could exercise the power referred to is the act of February 28, 1795, entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes." It appears from these papers that the neighborhood of El Paso and Brownsville has for several months past been infested by lawless persons, who traverse the country, singly or in small parties, driving off cattle and occasionally committing murders; that the perpetrators of these acts are principally Indians, Mexicans, and half-breeds; but that lawless and reckless persons, professing to be citizens of Texas, also participate in them; that, in consequence of the fears occasioned by these disorders, some of the inhabitants have been compelled to abandon their homes; that the civil authorities were powerless to put a stop to these outrages, the officers of justice not being able to collect a sufficient civic force to execute processes, &c.

There is reason to suspect that these statements are somewhat exaggerated. Besides the natural tendency of persons while under the influence of fear to magnify the danger that occasions it, some of the signers of these papers have a strong motive to do so.

It is well known to this department that the inhabitants in the neighborhood of military posts have other reasons for wishing them to be kept up besides the protection they afford. The department, therefore, is frequently urged to establish posts where there is no real necessity for them; and whenever troops are ordered away from one, alarming accounts of Indian hostilities are invariably set afloat. In addition to this, many young men are always found who are anxious to enroll themselves as volunteers, and there is no part of the frontier, from Oregon and California to Florida,

where similar applications have not been made; but in every instance they have been rejected. To what extent these remarks apply to the accounts contained in the papers transmitted by your excellency I am unable to say. I will merely remark that the commander of that department positively pronounces several of the statements contained in them entirely unfounded, and does not recommend that these volunteers be received into the service of the United States.

Supposing, however, these accounts to be strictly correct, the outrages and disorders complained of (except when committed by Indians) are hardly such as this government ought to be called upon to repress. The perpetrators of these acts, whether Americans or Mexicans, are not public enemies, to be encountered by the Army of the United States, but private malefactors, to be arrested and punished by the civil authorities of Texas. If the means which these authorities have at their disposal are not sufficient to enable them to do this, and the government of Texas finds it necessary to call out her own militia to execute her own laws and to defend her own citizens against robbers and murderers, surely it ought not to expect the United States to pay the expenses of the proceeding.

It must be borne in mind, too, that the disorders complained of have been brought about in part by citizens of Texas themselves. It is well known that many of the inhabitants of that State were directly or indirectly concerned in the criminal enterprises of Caravajal, in violation of the laws of their own country, and, no doubt, in opposition to the wishes of the peaceable and law-abiding portion of the inhabitants of Texas.

It was to be expected that the inhabitants of Mexico would seek in some way or other to retaliate upon them, and the Indians in the neighborhood have availed themselves of this opportunity to renew their predatory incursions into the country. The number of these, however, judging from official reports to this department, is much exaggerated in these papers. In addition to these, mercenary vagabonds and outlaws within our limits, who had flocked to the standard of Caravajal, finding themselves disappointed in their hopes of plunder in the Mexican territory, naturally seek to indemnify themselves in our own.

The President directs me to assure your excellency that he sympathizes deeply with the sufferings of the good people of Texas, who are thus made to suffer for acts in which they did not participate, and that he will do all that he can, with propriety, to arrest them.

The officer in command of that department reports that, in view of the troubles on that frontier, he had already ordered to that quarter five companies of mounted riflemen. Orders have also been given to fill up all the companies stationed there with their complement of men. One of the papers transmitted by your excellency mentions that the officer at a military post had been unable to render any assistance in punishing the authors of these atrocities, because his men were unprovided with horses. That is very possible. Congress, in spite of the earnest and repeated remonstrances of the department, having failed within a few weeks past to appropriate money for the purchase of horses, the department found itself unable to supply them. Since the department has been provided with funds for the purpose, measures have been taken to supply the requisite number of horses.

From reports received from Colonel Sumner, it is rendered highly probable that the portion of the forces under his command that had for a temporary purpose been ordered from the Texas frontier to Santa Fé have, before this, resumed their former stations.

Representations have also been made to the Mexican Government in regard to the alleged participation of officers and citizens of that country in the outrages complained of. It is hoped that these measures, together with the exercise of a proper degree of vigilance and energy on the part of the citizens and government of Texas, will suffice to restore tranquillity and peace to that region of country.

Very respectfully, your obedient servant,

C. M. CONRAD,
Secretary of War.

His Excellency P. H. BELL,
Governor of Texas, Austin, Tex.

No. 2.

WAR DEPARTMENT, *Washington, June* 19, 1854.

SIR: From your reports of the various conflicts which have taken place with the Indians on the frontiers of Texas and the constant outrages committed by them on the defenseless inhabitants of that State, the department is induced to believe you may need the aid of additional troops, which it will not be in its power to furnish. Your representation of the great want of recruits to fill up the reduced companies under your command is received with the greater regret because of the slow progress of the

recruiting service, which state of things, it is feared, will not improve unless our hopes of increased pay for the soldier, as recommended to Congress, should be speedily realized.

Under these circumstances it is deemed advisable to authorize you to call upon the governor of Texas for aid, should the exigencies of the service require it, in repelling Indian invasions, and in such event you will make requisition for such number of mounted men as you may from time to time deem necessary, who, while in service, will be supplied with ammunition, forage, and subsistence by the United States.

Very respectfully, your obedient servant,

JEFF. DAVIS,
Secretary of War.

General P. F. SMITH, U. S. A.,
Commanding Department of Texas.

No. 3.

HEADQUARTERS DEPARTMENT OF TEXAS,
Corpus Christi, July 29, 1854.

SIR: Your letter of the 19th of June authorized the calling on the governor of Texas for mounted men under a certain contingency. I have awaited the receipt of such information as would enable me to act with some certainty that I was not misled, but nothing new has reached, except a report from Colonel Loomis, which he thinks reliable, that some bands of Indians are assembling on the Mexican side of the Rio Grande.

I have waited until now for the arrival of the topographical instruments required last December from Colonel Abert before setting out to establish a site of a post near Presidio del Norte. Having waited as long as I could, I am now about to start, and have written to governor of the State a letter, a copy of which I inclose. I have postponed the time of calling the men into service the 1st of November, both to allow events to develop themselves in the mean time, and because, by the beginning of the winter, so many men will have been discharged from the mounted corps that these will be very weak. I presume the governor will urge that rifles and revolving pistols be provided. There will be time to receive his application in that case.

The expenditures in the Quartermaster's Department will be very much increased by the mounted men. The chief quartermaster reports that with the last remittance came a notice that it filled all the requisitions from this department for the fiscal year ending the 30th of June. By the records here, on the contrary, it appears there is still a deficiency of $52,000 unsupplied on the estimates sent forward.

With this deficiency to begin with, and the great additional expense in prospect, the service of the Quartermaster's Department will be very difficult.

There will be time to send supplies of provisions from Baltimore to Indianola, directed to Austin, before the companies, if called out, will want them.

With the highest respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Hon. JEFFERSON DAVIS,
Secretary of War.

[Indorsement]

The instructions of June 19, 1854, authorize General Smith, should the exigencies of the service require it in repelling Indian incursions, to make requisition upon the governor of Texas for such number of mounted men as might, from time to time, be deemed necessary by the general commanding, the men so called into service to be supplied with ammunition, forage, and subsistence by the United States.

General Smith, in his letter to Governor Pease, says, "If the only evil to be avoided were the direct injury from Indian incursions I should not think the contingency contemplated by the Secretary had arrived."

No authority was given to call out the militia for any other purpose than that indicated. This was expressly limited to the case of an exigency which rendered that resort necessary, and the phrase "from time to time" was intended for such temporary service as incursions should require. No power exists, without special legislation, to call forth militia for such objects as the promotion of settlement and agriculture, or for a term as long as that proposed.

JEFF. DAVIS,
Secretary of War.

WAR DEPARTMENT, *August* 24, 1854.

No. 4.

HEADQUARTERS DEPARTMENT OF TEXAS,
Corpus Christi, July 29, 1854.

SIR: I have been instructed by the Secretary of War "to call upon the governor of Texas for aid should the exigencies of the service, in your opinion, require it in repelling Indian incursions, and in such an event you will make requisition for such number of mounted men, from time to time, as you may deem necessary, who will, while in service, be supplied with ammunition, forage, and subsistence by the United States."

If the only evil to be avoided were the direct injury from Indian incursions I should not think the contingency contemplated by the Secretary had arrived, for so many of the reports spread by the papers are, to my own knowledge, so entirely fabrications, that the case presented by the actual fact is not such as to require more force than is now here. But there are, doubtless, other serious evils that follow murders and robberies that have really happened, and the greatest is the sense of general insecurity on the frontier, which interrupts industry and prevents an increase of population on the border, where it is most desirable as the best means of defense.

If, in the opinion of your excellency, the presence of additional troops on the frontier is necessary to repel actual incursions, I would be unwilling to set my own belief in opposition to that of yourself, who represent the belief and wishes of the people most interested; and if, in the second case, you think a feeling of security so necessary and beneficial to the border settlements could only be produced by adding to the troops there, I would take your opinion as the rule for my action, and decide that the case contemplated had arrived in which I was to call on your excellency for mounted men.

But as the raising and support of temporary troops are very onerous, both to the government and troops themselves, it is very desirable that they should be selected with care for the particular service they are destined for, and should be well mounted and armed. I would propose, then, that if your opinion is in favor of calling more companies into service, on the 1st day of November next six mounted companies should be called into service, on which day four of them will be mustered into the service of the United States for twelve months, unless sooner discharged, at or near Fort Martin Scott, and two of them at or near Fort Worth. This would give two months to raise and organize and arm the companies. They would be during the winter placed on the frontier, and I would, in the spring, as soon as the grass would answer, make two expeditions into the Indian country, and endeavor to inflict a blow which should insure the tranquillity of the border for the future.

If your excellency will do me the favor to send your reply in duplicate—one to this place inclosed to the assistant adjutant-general, and the other to the care of the assistant quartermaster at San Antonio, to be forwarded to me by express on my route to Las Moras.

It is to be observed that the troops are to be "supplied with ammunition, forage, and subsistence by the United States." Of course they are to provide their arms, horses, and equipments. The supply of revolver-pistols was a limited one, and I presume is exhausted.

As there has been no appropriation for paying these men they will have to wait until the law provides for their case.

The legal organization of a mounted company is as follows: One captain, 1 first and 1 second lieutenant, 4 sergeants, 4 corporals, 2 buglers, 1 farrier, and 74 privates.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

His Excellency E. M. PEASE,
Governor of the State of Texas.

No. 5.

FORT CHADBOURNE, TEXAS, *July* 30, 1854.

SIR: Information has reached me, through the chiefs of the southern bands of Comanches living near this post, that large war parties are being formed and some of them are actually at present on their way to the Rio Grande. I deem this of such importance as to make the matter a special and immediate report to the commanding general of the department. Although the object of this movement is stated to be the revenge of the massacre of a large party of the Comanches by the Mexicans a few months since, I am inclined to think, from circumstances which have come to my knowledge, that the intention may be to depredate also on this side of the Rio Grande, should a favorable opportunity present itself. I am led to this conclusion by develop-

ments made by a captive Mexican boy whom I have taken from them. This boy, of whom I had heard and was anxious to get possession, was brought in during the night by a Mexican who has lived long among them, under the promise that his agency in the escape should be kept a secret from the Comanches.

The boy says that his name is Vivian Lopez, and that he is fourteen or fifteen years of age. He makes the following statement of the circumstances of his capture, &c.:

His father, Cicilia Lopez, lives near Corpus Christi, and is connected in business with Mr. Gilbert Rodgers, of that place. While out hunting mustangs some three months since with his father and another relative, he, being separated a short distance from them, was seen and pursued by a party of Indians, struck from his horse, and captured.

He does not know what became of the others. The Indians proceeded to Laredo, where they stole a Mexican boy and some horses. The boy they killed that evening. From Laredo the band proceeded toward Fort Merrill, according to the boy's statement, but I am under the impression that he mistakes that post for Fort Ewell; and on the Laredo road, near where it parts from that leading to Guerrero, they attacked a train of fourteen government wagons, killing five teamsters and capturing some hundred mules. The party then proceeded, without the exercise of much caution, in this direction. They were overtaken by a party of soldiers while in camp, several of them killed or wounded, and the mules retaken. This band consisted of twelve men, led by Ecanodie, the half-brother of Toshaway, the principal war-chief of the Southern Comanches, to which band all of the party belonged. The captive boy made his escape yesterday morning and was brought in last night. This morning early, Toshaway, accompanied by the wife of Ecanodie, came in to inquire if anything had been heard of the boy. I stated to them that the boy had claimed my protection and that I should retain him. They then demanded a ransom, which I declined giving. Toshaway is the war-chief who commanded the party which was destroyed by the Mexicans not long since. I sent for Sanaco and Ketumsey, principal chiefs, whose camps are only a few miles distant, and held a long talk with them through Jim Shaw, a Delaware interpreter. They expressed themselves satisfied regarding the boy, and acquiesced quietly in his being retained. The chiefs appeared to be somewhat alarmed, and volunteered the information that large parties had been formed and were still forming among the Northern Comanches, amounting already to near four hundred men; that runners had been sent inviting them to join. Some of their young men had already left, but they had not made up their minds whether they would take part. These parties were—some of them—now on the way. I would mention, in this connection, that these Indians do not appear nor can they be made to understand that it is wrong to engage in hostilities against the Mexicans. They speak openly about it on every occasion. They do not appear to think that the government or its agents have acted in good faith, and feel, as far as I can judge, little restraint or obligation under existing treaties. It is, however, due to them to say that since I have been in command they have acted in a friendly and consistent manner, apparently more out of a policy of their own than any feeling of treaty obligations.

Ecanodie and his party are again absent, the boy thinks, on another expedition toward the Rio Grande. The statement of the boy and the information of the movement of the war parties are given in substance, as nearly as possible, as they came to me. The interpreter used—Jim Shaw—is a well-known and intelligent Delaware. He places full confidence in the statement of the chiefs. In view of the want of confirmation of the boy's statement, the absence of the Indians principally engaged, and the general commitment of the whole tribe, I have determined to push the matter no further for the present, to treat the Indians as usual, watch them narrowly, and await instructions, should nothing more occur from the general commanding the department.

I have stopped the sale of powder and lead by the sutler and other traders in the vicinity, and shall endeavor to use to the best advantage the limited means which the strength of the command—not more than seventy strong—places at my disposal.

Expresses have been sent to Forts Belknap and McKavett.

I am, sir, very respectfully, your obedient servant,

P. CALHOUN,
Captain Second Dragoons, Commanding Post.

Maj. D. C. BUELL,
Assistant Adjutant-General Department of Texas, Corpus Christi, Tex.

No. 6.

FORT CHADBOURNE, TEX., *August* 2, 1854.

SIR: Since my letter of the 30th, additional information has come to my knowledge, which I have the honor to report. I mentioned in that communication that Ecanodie had returned to the Rio Grande, it was supposed. Yesterday evening the same Mexi-

can who assisted the boy Lopez to escape informed me that the Comanches had just received news that Ecanodie and four of his party had been killed in a fight below. These are evidently the Indians with whom Captain Van Buren is reported to have had a fight.

Jim Shaw, the interpreter, reports the following additional, which he gets from Ketumsey: That some thirty or forty of his band have already left, and that probably more will do so; none of the chiefs have taken part. He (Ketumsey) thinks that the whole force going to Mexico will amount to six hundred; they have passed far to the west of this, and intend crossing the Rio Grande some sixty miles below the Presidio del Norte, their gathering-point being in Mexico, not far from the Rio Grande.

From this point they intend attacking the town near which the late massacre of their people took place. Ketumsey denies that the Indians killed by Captain Van Buren belonged to his band; he says they were Northern Comanches, his men being killed by the Lipans, in Mexico. The evidence is, however, strongly to the contrary.

While I was writing Lieutenant Tyler, with a scouting party from Fort McKavett, came in. I had heard of the approach of this party, and determined to strengthen and send it on a reconnaissance in a northwesterly direction; it has been increased to forty, and is now preparing to leave, under the command of Lieutenant Tyler, accompanied by Lieut. George B. Anderson. I fear it may be turned back by the want of water, as the country in the direction in which it goes is represented as being very deficient in that respect.

In your letter of the 15th of July you say that "the general regrets to hear that it is the intention of the Indian Bureau to locate any bands of Indians in the neighborhood of your post." The phraseology of my letter may have led the general to a wrong conclusion. This particular region has always been a favorite hunting-ground for the Southern Comanches, and wherever the military post was situated they would, when at peace, frequent its neighborhood for trading and other purposes. Their camps are seldom more than ten miles distant, and frequently within a mile of the post. They camp around the post in parties of from twenty to three hundred. I have seen more than a hundred warriors in at a time. The term "near" was comparative and not meant to convey the idea of immediate vicinity. The location would probably be miles distant. The Mexican captive, Lopez, I will send to Corpus Christi by the first favorable opportunity.

I am, sir, very respectfully, your obedient servant,

P. CALHOUN,
Captain Second Dragoons, Commanding Post.

Maj. D. C. BUELL,
Assistant Adjutant-General, Department of Texas, Corpus Christi.

No. 7.

EXECUTIVE OFFICE, AUSTIN, TEX, *August* 8, 1854.

SIR: I have the honor to acknowledge the receipt, by the last mail, of your letter of the 29th of July.

In reply, I have no hesitation in saying that I believe an addition to the troops now in service in this State is necessary to produce a feeling of security with the inhabitants residing on and near the frontier. This belief is based upon a knowledge of the many murders and outrages that have been committed by the Indians within the last six months and upon the numerous communications that have recently been made to me of the opinions of those inhabitants on this subject. I therefore feel authorized, from the tenor of your letter, to call out six companies of mounted volunteers, to be mustered into the service of the United States at the time and places indicated by you for twelve months, unless sooner discharged.

I fully concur with you in relation to the care that should be exercised in selecting these troops, as well as the necessity for their being well mounted and armed, and as so long a time is allowed for raising them, I am satisfied that I can send you a force well suited for the service in which you propose to employ them.

Very respectfully, your obedient servant,

E. M. PEASE.

Brevet Maj. Gen. PERSIFOR F. SMITH.

No. 8.

FORT DUNCAN, TEX, *August* 12, 1854.

SIR: I have the honor to submit to the commanding officer the following information concerning the Indians that have crossed from this side of the Rio Grande into

The information I believe to be in the essential parts reliable. The Seminole Indians live at or near Santa Rosa, upon lands furnished them by Mexico, which they cultivate. They have houses, cattle, and mules. They have about fifty warriors and a number of negroes. These Indians are under the immediate control of Wild Cat, their chief, and they are subject to the military orders of Colonel Casteñado, the inspector-general of the neighboring colonies. I look upon the Seminoles as a military colony, under Wild Cat, and his warriors are colonial troops. As colonial troops they were employed against the party of Caravajal, and rendered efficient aid in the fight at Carabo in Tamaulipas. It is believed that they are again to be employed for a similar purpose, to guard the passes of the Rio Grande in this vicinity and prevent any parties crossing to aid the reputed revolutionists, and they would probably be used against any faction opposing Santa Anna. These Indians are known to have a bitter hatred for many of the residents of this side of the river. They are well acquainted with all the positions of the live-stock raised and kept on this side, and have an intimate knowledge of all the fords of the Rio Grande. Under these circumstances, they would undoubtedly be very troublesome neighbors, particularly if their natural impulses to steal are stimulated by encouragement or countenance from the other side. That such countenance and protection have previously been given is well known.

The Seminoles crossed to this side and stole a large number of animals in the month of March; after crossing the river they went directly to San Fernando, and in the presence of the authorities, civil and military, boasted of what they had done, and publicly announced (Mr. Harrison can make affidavit to the fact) that they (the Seminoles) and particularly Wild Cat, did this with the knowledge and consent of General Cordona, of Coahuila, and that he could not sell the animals again to their proper owners because he was only entitled to half; the other half was to be delivered to his excellency the governor. No steps, as far as can be ascertained, have been taken to dispove the evidence of the Indians, and the boldness of the act, together with the coolimpudence with which they answered any inquiries on the subject, seem to indicate something very much like protection. All the above, I believe, can be readily proven. I do not think the Seminole Indians have committed depredations since the above affair.

The Lipans are reported to be under their chiefs, Coyote and Castro, said to number one hundred and fifty warriors. They seem to be confined to no particular spot; for some time past they have been in the vicinity of San Fernando. There is but one there now, and he appears to be used as a courier, to look up and carry orders to the others, as they seem to be under the command and are well known to be under the military protection of Colonel Casteñado. These Indians are only at peace with the State of Coahuila (which embraces the opposite town).

The people of the neighboring State of Tamaulipas raised a force and came against these Lipans, but Colonel Casteñado turned out with a much larger force to protect the Indians, and the Tamaulipans had to retire. One hundred Lipan warriors presented themselves to Colonel Casteñado and wished to be led against their enemies, but their services were declined. This made the Indians suspect treachery, and they withdrew to the mountains, and it is reported that Castro has returned to his old position near Las Moras. I do not know upon what the report is founded. It is generally believed that the Lipans have been sent for to aid the Seminoles in guarding the frontier from filibusters and the interior from revolutionists. I could find no particular charge against the Lipans having stolen from this side since they crossed, but they have animals in their possession they do not own, and some of which are reported to have government marks.

I am, sir, very respectfully, your obedient servant,

S. B. HOLABIRD,
Second Lieutenant First Infantry.

Lieut. R. W. JOHNSON,
Adjutant First Infantry.

NOTE.—I was told that the horse stolen from General Smith at Fort Duncan was bought by a secretary of Governor Cordona, and those knowing the fact think he was aware where the horse came from and how. The horse was said to be sorrel. A mule was carried over at the same time, but where it was taken I could not ascertain.

S. B. HOLABIRD,
Second Lieutenant First Infantry.

No. 9.

HEADQUARTERS DEPARTMENT OF TEXAS,
Fort Duncan (Eagle Pass), August 17, 1854.

COLONEL: I authorized and directed the commanders of the posts on this river to send agents into Mexico to learn what the bands of Indians are doing there.

Lieutenant Holabird, acting assistant quartermaster, having to visit the opposite side in relation to the purchase of corn, was enabled to ascertain on the spot, and from reliable sources, the information which is contained in his report, which I inclose.

It will be seen that the number of Indians under Wild Cat has been much overrated and the intentions of his band misstated; but the evil comes from the band of Lipans, who are stationed by the Indian agent on the Nueces. I also inclose a report of Captain Calhoun, from Fort Chadbourne, in relation to the Comanches, brought to the neighborhood of that post through the Indian agent, who does not appear to be with them or to have any one to watch or advise. It appears to me that everything is done to make it difficult for the military to protect the frontier.

I am on my way toward the Presidio del Norte and El Paso, with the view of establishing the site of Colonel Seawell's post and driving off the Mescaleros and Lipans about the head of the Limpia.

I take with me an escort of a company of mounted riflemen, with a detachment of twelve men of the same regiment, having a prairie howitzer, under Lieut. D. Maury, the whole under Captain Walker, Regiment of Mounted Rifles.

From what I see of the prairie carriage and howitzer, I am convinced of its great utility on this frontier, and would respectfully ask that ten more be sent to the ordnance depot at San Antonio.

Referring to the diminished number of the troops here, I mention that at Fort McIntosh I found Captain Elliott's company of mounted riflemen with fifteen men for duty in it, and here I find Captain Caldwell's company of the First Infantry with six men for duty. After the lapse of a year he will have not one man remaining.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Col. S. COOPER,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *September* 12, 1854.

Respectfully submitted to the Secretary of War.

S. COOPER,
Adjutant-General.

No. 10.

HEADQUARTERS DEPARTMENT OF TEXAS,
Camp on the Piedras Pintas (eight miles west of Fort Clark), August 20, 1854.

Col. S. COOPER, *Adjutant-General of the Army:*

I arrived here yesterday morning on my way to examine the country about the Presidio del Norte, the head of the Limpia, and to the neighborhood of El Paso. I was joined in the evening by Captain Walker's company of mounted riflemen, which I take as escort, and expect to-morrow a train from San Antonio with supplies, and will continue my route on the 23d. I shall probably be absent until the beginning of December, but communications addressed to me at Corpus Christi will reach me by express.

The Lipan Indians who were in Mexico along the Rio Grande having been alarmed by measures taken against them, they have come over on this side and are now encamped near Fort Clark. They profess friendship, but were undoubtedly engaged in depredations across the river from Mexico. They now fear an attack from the Comanches, of whom Captain Calhoun's letter of August 2 speaks, dated Fort Chadbourne. I have taken measures to have troops to meet this expedition when it comes down.

I have made an absolute call on the governor of the State for six mounted companies, and would desire that five hundred rifles and equipments and as many of Colt's revolvers be sent to Lieutenant McNutt's ordnance depot at San Antonio, and that two hundred Sharp's carbines, with Maynard's primers, be also sent, furnished with two hundred rounds of cartridges and two hundred and fifty primers of the latest manufacture for each one.

I cannot communicate with San Antonio, so as to have the requisition made by the ordnance officer there and approved by me. These arms will be issued only in case of necessity.

I inclose a copy of the answer of the governor of the State to my communication of the 29th of July. There is a great deal of sickness among the troops, owing, no doubt, to the unusually wet weather this season, and it will continue until cold weather. Many suffer from the scurvy, for want of lime-juice, the best anti-scorbutic.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

ADJUTANT-GENERAL'S OFFICE, *September* 12, 1854.

Respectfully submitted to the Secretary of War.

S. COOPER,
Adjutant-General.

No. 11.

WAR DEPARTMENT,
Washington, August 24, 1854.

SIR: I have the honor to acknowledge the receipt of your letter of the 22d instant, with a copy of one from the Secretary of the Treasury, inclosing a communication from S. Powers, collector of the customs at Point Isabel, Tex., stating the probability that measures are being concerted by certain disaffected Mexicans on our frontier to invade Mexican territory.

In reply, I have to inform you that the general commanding the Department of Texas is possessed of full authority from the President to prevent the carrying on of any such expeditions from any place within the limits of his command.

Copies of the papers will, however, be sent to General Smith, and his attention called to the subject.

Very respectfully, your obedient servant,

JEFF. DAVIS,
Secretary of War.

Hon. W. L. MARCY,
Secretary of State.

No. 12.

ADJUTANT-GENERAL'S OFFICE,
Washington, August 25, 1854.

GENERAL: Your communication of July 29, inclosing your correspondence with the governor of Texas in relation to calling out volunteers for the defense of the frontiers of that State, has been received by the Secretary of War, by whom I am now instructed to state that you appear to have misconceived the instructions of June 19, 1854, "in which you were authorized, should the exigencies of the service require it in repelling Indian incursions, to make requisitions upon the governor of Texas for such number of mounted men as might, from time to time, seem necessary."

No authority was given to call out the militia for any other purpose than that indicated; this was expressly limited to the case of an emergency which rendered that resort necessary, and the phrase "from time to time" was intended for such temporary service as incursions should require. No power exists, without special legislation, to call forth militia for such objects as the promotion of settlements and agriculture or for a term as long as that proposed.

The Secretary of War accordingly directs that your requisitions upon the governor of Texas for volunteer troops be made to conform to these views.

Very respectfully, general, your obedient servant,

S. COOPER,
Adjutant-General.

Bvt. Maj. Gen. P. F. SMITH,
Commanding Department of Texas.

No. 13.

WAR DEPARTMENT, *Washington, August* 29, 1854.

SIR: I have received from General P. F. Smith a copy of his letter to you dated July 29, in relation to calling out militia for the defense of the inhabitants of Texas from Indian aggressions.

In that letter, referring to the authority given him by this department to call upon you for troops, he says that if the only evil to be avoided were the direct injury from Indian incursions, he would not think the contingency contemplated had arrived, for so many of the reports spread by the papers are to his knowledge fabrications, that the case presented by the actual fact is not such as to require more force than he now has; but that there are other evils, the greatest of which is the sense of general insecurity on the frontier, which interrupts industry and prevents an increase of population on the border, where it is most desirable, as the best means of defense.

He then proceeds to say that if, in your opinion, additional troops are necessary, either to repel actual incursions or to produce a feeling of security in the border settlements, he will take your opinion as the rule for his action; and he accordingly makes a requisition, subject to your opinion of its necessity, for six companies of mounted men, to serve for twelve months.

Authority to call out militia is given by law only in cases of actual hostilities or of "imminent danger," and in strict pursuance of this authority General Smith was directed to call upon you "for aid, should the exigencies of the occasion require it in repelling Indian incursions." To produce a feeling of security in the border settlements is not, within the contemplation of law or the instructions of this department, an object for which the militia may be properly called out, and it is manifest that, in his judgment, troops were not needed to repel Indian incursions. As he only, knowing the condition of the troops under his command, can judge of the necessity of re-enforcements, it has been deemed proper to apprise him that the department disapproves the conditional requisition which he made for troops not deemed necessary by him for the object specified in the instructions, especially as the term proposed by him greatly exceeded that limited by law.

Although, under the views above stated, troops cannot be called out simply to give citizens a sense of security, it appears to me that the object might be in a great degree attained were it generally made known in the advanced settlements that General Smith has authority to call out and supply such force as he may deem necessary for their protection, whenever required, and that your excellency is prepared at any moment to furnish it.

Very respectfully, your obedient servant,

JEFF. DAVIS,
Secretary of War.

His Excellency E. M. PEASE,
Governor of Texas, Austin, Tex.

No. 14.

HEADQUARTERS DEPARTMENT OF TEXAS,
"Painted Camp," on the Limpia, October 9, 1854.

COLONEL: I have the honor to acknowledge the receipt of your communication of the 25th of August, conveying the disapproval of the Secretary of War of my call on the governor of Texas for six companies for a year, if not sooner discharged, and directing me to conform to the views expressed in your letter and to the law, which I will accordingly endeavor to do as far as I can understand them.

The Indians, as will be perceived from the reports sent to you heretofore, are constantly making hostile incursions, if that can be called an incursion which is made by Indians living within the State already. The reports made of their devastating the settlements, as published in the papers, were, many of them, untrue; but small parties formerly, and larger ones since, have entered within the line of posts and killed men and carried off cattle and horses, and attacked traveling parties sometimes successfully; though these can scarcely be said to have happened within the settlements, yet they have alarmed them, and induced some persons to abandon them. These depredations are not known till pursuit is too late, if the Indians, as they often do, immediately retire; to call out the militia to repel such incursions as they happen would be useless; troops ready prepared can hardly expect to overtake them, unless they accidently fall on their trail, or receive instantaneous notice of the act and the route of the retreat; to call on the governor of the State for militia, and to await their being assembled and mustered into service, would not meet the emergency. I was consequently of opinion (on which I acted) that, when a hostile disposition, evinced by hostile acts, was evident, I was authorized to call upon the governor to furnish men to be prepared to meet such acts as were pretty sure to follow such a disposition. I thought the only question to be decided was whether the regular force under my command was sufficient to repel these incursions, or whether militia were necessary, and upon your information that no recruits could be expected, I framed the call so as to furnish the additional force at a time when the regular troops would be as low in numbers as it would be safe to permit them to be. If, when the returns for October are in, you will observe the number of recruits necessary to fill up the companies, you will probably allow that the five hundred militia called out are hardly a compensation for the two thousand soldiers deficient.

When I speak in my letter to the governor of the effect the existing alarm may produce on the settlements, I do not mean to say that such alarm is to be considered, even if entirely without foundation, but that if some actual hostilities have produced an alarm which, under the circumstances, is unreasonably great, yet that alarm is an evil to be remedied among others attending the Indian incursions.

Having no laws to refer to, I was under the impression that the act under which volunteers were received into service in 1847 or 1848 for a year was not limited to the war, and on my arrival to take command of the Department of Texas (then the 8th), I found companies of volunteers in service for, I think, a longer period than three months; but whether I am correct or not in my impressions, I have here no means of ascertaining. To meet all circumstances, for you informed me there could be no hope of recruits, I asked for the companies for a year, "unless sooner discharged," thus reserving the right to dismiss them the moment they were no longer necessary.

I intended to employ them in a much more effectual way than by letting them wait to watch small parties that might come in, which was to organize one expedition or more against the tribes that were offending. It is only by a serious chastisement, repeated more than once, that these predatory expeditions can be repressed effectually, but as long as the tribes that furnish the marauders are protected by the Indian agents and kept near the frontiers, no effectual lessons can be given to them.

As many hostile acts and incursions have been committed since my letter calling on the governor, and as the number of regular troops is diminishing daily, without any prospect of recruits as yet, I will renew the call on the governor for the six companies for "three months, unless sooner discharged," and employ them at once, part against the Indians in this neighborhood and part against the Comanches, and will discharge them as soon as their services are no longer necessary.

If I misconstrue the instructions you have transmitted and the intentions of the Secretary, I will be glad to learn at once in what particulars and how I shall correct my action. My sincere wish is to carry out exactly and effectually the views of the Department in all points.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Col. S. COOPER,
Adjutant-General.

Respectfully submitted to the Secretary of War.

S. COOPER,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *November* 9, 1854.

The view last taken, that is, to employ such additional force as may be necessary to repel incursion and to pursue and punish hostile Indians, by making a campaign sufficiently protracted for the purpose, is in accordance with the views of the department.

Exception was taken to the former call because it exceeded the power of the Executive of the United States, and because it was to provide garrisons, looking forward to a campaign at a remote period, before which it might be possible to furnish recruits and make the regular force equal to the wants of the service.

JEFF'N DAVIS.

No. 15.

HEADQUARTERS DEPARTMENT OF TEXAS,
Camp on San Pedro River, October 30, 1854.

COLONEL: On the 23d of this month I dispatched an express from the "Painted Camp" on the Limpia, after my return from the Presidio del Norte, with several communications to you, one of which gave my reasons for recommending that no post be established at the Presidio and that the companies of the Eighth Infantry now on the Limpia be continued there. I have placed them in a position which, as far as I am able to judge from the time I have spent there, is the most healthy and pleasant in Texas, having most excellent water, good grass, and plenty of fuel, at an elevation above the sea of about 4,700 feet, and being on one of the most important roads in the department and in the midst of Indian tribes that are daily committing outrages on travelers. This express, the day after it left my camp, was attacked, at first by sixteen Indians, who were soon joined by fifteen or twenty more, and the men were obliged to abandon their mules and baggage to be able to use their arms. Finally the Indians, seeming to value their mules more than anything else, pursued them, and the two men succeeded in making their escape, and returned toward the Limpia on foot. On the 24th I began my march, and met the men. I sent Captain Walker with thirty men to seek the trail of the Indians, but it was in a rocky place and he did not succeed in finding it.

Unfortunately in the same bag with the letters directed to Washington were the copies sent to my office in Corpus Christi, so that I have no record of what was sent.

I have been obliged to-day to make a long march, for want of water on the road, and cannot have time before the express must leave to write again what has been lost; and as I am going direct to Corpus Christi, I shall be there soon after any messenger I can send, and I will then present my views on the subject again. In the meantime I have established Colonel Seawell with his six companies there (numbering less than two hundred men), and have taken the liberty of naming it without reference to the department, and I have called it Fort Davis. Among the papers lost was a report from Captain Arthur, First Infantry, in command of a temporary post on Oak Creek, giving an account of the Indians, twenty-eight in number, running off all his animals pasturing near the post, and of a pursuit by men on foot, in which Lieutenant Woods and Sergeant Michael Roke and a private, whose name will be found in the captain's report, sent by him to Corpus Christi, succeeded in overtaking the Indians, who were mounted, and they themselves being on foot, and killing two of them, and I had in my dispatch recommended Lieutenant Woods and the sergeant and private to the notice of the department.

Captain Arthur's post on Oak Creek and Captain Granger's on this stream are now both abandoned for the winter. I am taking the last detachments down with me.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Col. S. COOPER,
Adjutant-General.

Respectfully submitted to the Secretary of War.

S. COOPER,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *November* 21, 1854.

No. 16.

WAR DEPARTMENT, *Washington, January* 23, 1855.

SIR: In answer to the resolution of the Senate of the 11th instant, "That the Secretary of War be required to lay before the Senate such information as may be in his department in reference to such troops of the State of Texas as may now be, or heretofore have been, in service in that State, and who have not been paid by the Government of the United States, together with estimates of the amount necessary to pay said troops," I have the honor to state that the only troops which are believed to come within the terms of the resolution are the six companies of mounted volunteers called out by Maj. Gen. P. F. Smith, commanding the Department of Texas, and mustered into the service of the United States at Austin, Tex., on the 1st of November last, to serve for six months. The muster-rolls of these companies not having yet been received at the department, no exact estimate of the amount necessary to pay them can now be made. The one made by the Paymaster-General, and submitted herewith, is conjectural, but the amount of it, $137,755.38, if appropriated, will probably be sufficient for the purpose.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

Hon. J. D. BRIGHT,
President pro tempore of the Senate.

No. 17.

WAR DEPARTMENT, *Washington, January* 24, 1855.

SIR: I have the honor to acknowledge the receipt of your letter of the 9th instant, inclosing a certificate of the comptroller of the State of Texas, showing amounts which have been appropriated by the State for the payment of the three companies of volunteers called out by its executive in the summer of 1852, and requesting that the amount necessary to reimburse the State ($89,301.92) may be asked of Congress by this department.

In reply I have to inform you that when these companies were called out by the governor of Texas he advised this department of the fact, and asked that they might be received into the service of the United States. This, for the reasons given by the Secretary of War* in his reply to the governor, was not granted.

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*In paper No. 1.

For the reason, therefore, that these companies have not been in the service of the United States, I cannot comply with your request that I should ask an appropriation of Congress to reimburse the State of Texas the amount paid them. The decision of my predecessor controls my action in the case.

The resolution of the Senate relative to the volunteer companies of Texas at present in service, to which you refer, has been received and answered by the department.

Very respectfully, your obedient servant,

JEFF. DAVIS,
Secretary of War.

Hon. P. H. BELL,
House of Representatives.

No. 18.

HEADQUARTERS DEPARTMENT OF TEXAS,
Corpus Christi, March 10, 1855.

Col. S. COOPER, *Adjutant-General:*

Your letter of the 31st of January, inclosing the extract from a report of Major Neighbours, Indian agent, was duly received, and, in conformity with your directions, the volunteers were immediately recalled from the quarter toward which they had been directed; and as the object of employing them, to wit, carrying a war into the homes of the Indians who had been making hostile incursions into the interior of Texas, could not be carried out, they were ordered to be discharged. I must, however, call your attention to the incorrectness of Major Neighbour's report.

His communication is dated at San Antonio on the 8th of January. On that day the volunteers had not yet arrived at Fort Chadbourne, a long ways this side of the position he assigned to them, and the command from Fort Chadbourne had not left it when you wrote, inclosing his report. Yet he alleges their presence on the upper waters of the Clear Fork as causing a disturbance among the Indians with whom he was treating. The band which attacked the train near Fort Ewell—that which was attacked by Captain Van Buren and which killed him—were detachments from these tribes that were then about Fort Chadbourne endeavoring to excite the other tribes to join them in hostilities. The reports of Captain Calhoun last summer show this fully. If they have joined themselves for protection to any band more peaceful, and under the control of the Indian agents, the latter should have taken measures to have the offenders given up. Major Neighbours cannot say that subsequent hostilities have been caused by the presence of the troops, for on the 1st of February Captain Calhoun's two companies of dragoons left Fort Chadbourne, and the volunteers had not been mustered into service at Austin and San Antonio until from the 1st to the 20th of December. Yet, by a report from Lieutenant Givens, Second Dragoons, stationed at Fort Belknap, dated the 6th of November, it appears that a party of these same Indians had committed depredations on the settlement between the fort and the reservation, and he had followed and detected the guilty, but for certain reasons had not arrested them. On the 10th of January Major Steen reports that he had, on the complaint of one of the settlers, gone to Senaco's camp after mules, stolen some time before from the settler; that on his way back Ketumsey, another chief, had overtaken him, with news that a German named Lindecker, living near Fort Chadbourne, had sent word to them that an expedition was to march against the Southern Comanches, and that thereupon Senaco and Buffalo Hump had fled with their bands to join the Northern Comanches. Now, Major Steen's report is dated the 8th of January, and the occurrences must have happened some days before, while the first of the volunteers did not arrive at Fort Chadbourne until the 10th of January. Now, the fact is that this same party of Senaco and Buffalo Hump have sent detachments down into the settlements near Fredericksburg, where they are reported to be killing cattle and men. I have ordered Colonel May to send a detachment to drive them out, and Captain Calhoun will on his return detach dragoons on the same duty.

The Lipans, under the protection of Major Howard, are following the same plan. An incursion was made a few days since across from Mexico, near Fort Duncan, and a young man killed who was in search of cattle. In defending himself he killed an Indian, whose body was not carried off; and when Captain Walker's company of rifles, which was sent in pursuit, came to the ground, some of the men recognized the body as that of the Lipan Indian who had started with Captain King, First Infantry, in pursuit of Comanches, and had been turned over by him to Captain Van Buren, and accompanied the latter in the pursuit that ended in his death.

The Indian agents may be able to watch and control the tribes under their charge while they reside in San Antonio and the Indians are on the frontier, but they cannot even know correctly the movements of the troops or the facts that transpire at such a distance from them; and I will assert that all the Indian depredations committed

within two years are to be attributed to placing the Indians too near the frontier without agents actually with them to control their actions, and that, far from the Indian agents having the right to complain that their measures for pacificating the Indians are obstructed by the action of the military, the latter have the right to complain that all their efforts to protect the frontier from Indian depredation are rendered nugatory by the plans adopted by the Indian agents.

Since my return from El Paso, I have been preparing a full history of all the events of the summer and fall, and the clerks in the office have been employed in making copies of all the papers connected with it; but the current business is such as to occupy their time fully, and it will be some days yet before all the papers will be ready.

If the riflemen and dragoons were filled up with recruits and horses, I can foresee no contingency that would require the employment of militia, but you are aware that when troops have charge of posts, a certain number of men are necessary (whatever be the strength of a company) to remain at the post, and only the surplus are disposable, though I have laid it down as a rule that the posts are to be considered as subordinate to service in the field, and, if it becomes necessary to abandon one, the post is to be left to itself. I must say here, however, in justice to the whole command, that no men could have better done their duty or conducted themselves in a better manner, under all circumstances, than the troops of all arms have done—dragoons, riflemen, artillery, and infantry—in a climate as severe and as unhealthy as any can be, and when there is not a single building at any of the posts that is really fit for quarters for officers or men, and hardly a stable for horses. I cannot too forcibly express my satisfaction with their good conduct on all occasions.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Respectfully submitted to the Secretary of War.

S. COOPER,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *March* 24, 1855.

Read the portion of the letter referring to the complaint of Agent Neighbours, and to the necessity of requiring agents to reside with the tribes under their charge; will be copied and sent to the Secretary of the Interior. General Smith will be informed of the purpose for which the letter of Agent Neighbours was forwarded to him, and will be assured of the confidence of this department in the troops and commanding officers of the Department of Texas.

JEFF'N DAVIS,
Secretary of War.

WAR DEPARTMENT, *April* 11, 1855.

(See letter to Secretary of the Interior, April 17, 1855.)

No. 19.

HEADQUARTERS DEPARTMENT OF TEXAS,
Corpus Christi, March 14, 1855.

COLONEL: I have report from Major Simonson, R. M. Riflemen, commanding the expedition beyond Fort Davis, up to the 15th of February. He was thoroughly scouring the mountainous district north of the El Paso road, and between Fort Davis and the Rio Grande. The Indians had left, he thinks, and gone northward, having received intelligence of the expedition. This is very probable, for I have already informed the department that a party of Lipans, from the band established on the Nueces, near Fort Inge, by the Indian agent, had joined the Mescaleros, and kept up a regular communication with their friends near Fort Inge, by which they learned the strength and object of every party that passed that point on the road to El Paso.

Major Simonson has been as far north as Captain Marcy's road, and met Major Longstreet, Eighth Infantry, with a command out from El Paso, in the Guadelupe Mountains.

The explorations of Major Simonson and of Colonel Seawell near Fort Davis have had very valuable results, the former having discovered running streams of good water that may serve for temporary camps in the future, and possibly give a better route for the El Paso road; and the latter has found, by an examination made by Brevet Lieutenant-Colonel Bomford, Eighth Infantry, fine pine timber within eleven miles of his post, and accessible by a wagon-road.

The company of Texas volunteers under Captain Henry, part of which had broken open the post-office at D'Harris, and pillaged the town (some of them were afterward

discharged for misconduct on the march toward Fort Davis, and of which the lieutenant Jackson, was under arrest), was ordered to be discharged; and I have now charges on hand against the captain for misconduct while drunk. The other two companies with Major Simonson appear to have been usefully employed; but on the receipt of your letter, inclosing Major Neighbours's remonstrance against the prosecution of expeditions against the Indians, they, as well as the companies with Captain Calhoun, were ordered to be discharged. But I trust that I shall be allowed to continue the movements against the Mescaleros and Apaches, so as at least to keep them out of reach of the roads to El Paso and Doña Anna, which I can do if the companies now here are filled up with recruits and horses.

On the subject of recruits, I would urge that they be sent out, if practicable, to arrive here on the 1st of December. When they come in the spring or summer they suffer from the fevers and dysenteries of the climate and country, and embarrass the command rather than aid it. I am aware that this has not been possible lately, for it is only since August last that recruits could be procured.

My own regiment has been very unfortunate in this matter. It was at first filled up in 1846 with as good men as ever enlisted. These served during the war; but on their return in 1848 they collected a purse of seven or eight hundred dollars, and employed one of the agents about Washington to have a law passed discharging them, all of which he had done. They were entirely recruited anew, but with inferior men, and marched across the plains in 1849 to Oregon. In 1851 the men were all transferred to the dragoons in the Pacific division, and the regiment recruited the third time in six years and stationed here. They have now had no recruits for over two years, and some of the companies have not over twenty men. When filled up a large majority will be recruits, and another evil follow: that so many will have their discharges due at the same time that a large leaven of raw men will come into each company at once.

I delay making any plans for the summer until I know the purposes of the department since the increase of the Army authorized; but will keep everything as far as possible in the most perfect state of efficiency for any design that may, under the new circumstances, be determined on. It is said at Brownsville that General La Vega and most of the troops in Tamaulipas are going south to aid Santa Anna against the revolution.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding.

Col. S. COOPER,
Adjutant-General.

Respectfully submitted to the Secretary of War.

S. COOPER, *Adjutant-General.*

ADJUTANT-GENERAL'S OFFICE, *March* 28, 1855.

No. 20.

HEADQUARTERS DEPARTMENT OF TEXAS,
Corpus Christi, March 23, 1855.

COLONEL: I have, generally, before the end of March determined on the plan of operations for the troops until called in late in the fall, but this year have postponed putting the troops in motion, and, indeed, deciding how to employ them, as I knew plans for augmenting the military force were before Congress; and the result is known, to wit, an increase of four regiments. The determination of the boundary-line under the Gadsden treaty may render more troops necessary on that line, and it struck me as likely that the Department of Mexico would be re-enforced by the six companies of the Eighth Infantry now at Fort Davis under Lieutenant-Colonel Seawell. If it were to be so—and Colonel Seawell informed me that he had heard that change was determined on—I would place the First Infantry there, and at Oak Creek, and the San Pedro, or at the Great Comanche crossing, and stretch the Fifth along the Rio Grande to cover the places vacated by the movement of the First; and if the rifles are filled with recruits, General Smith suggests, in a previous letter, that recruits for Texas should not be sent before the autumn, to avoid diseases incident to that climate in summer. The country is now so well known that no additional force will be wanting on the Rio Grande. But if any such movement is postponed, the companies and trains will be scattered and much time and labor lost in assembling them for the movement.

Indeed, whatever changes are contemplated, either in consequence of the increase of the Army or from new plans determined on by the War Department, they can be

provided for now before the troops are put in the field with much more economy than afterward.

It seemed probable that some changes actually determined on would not and could not be carried into effect until the additional regiments are prepared to take their share in them; but if the department sees fit to advise me of such of its intentions as are settled on, I can modify my own plans so as to aid rather than embarrass the movements to be made when the new troops are ready.

The grass is now coming forward well and the roads are in good order, the trains within reach, and the troops concentrated at their posts and refitted in clothing and equipments, and, without offering any suggestion as to what should be done, as I do not know the plans of the department, I am sure I can carry them out more effectually now than at any later period, whether they relate to immediate action or to preparations for the future.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Col. S. COOPER,
Adjutant General.

Respectfully submitted to the Secretary of War.

S. COOPER, *Adjutant-General.*

ADJUTANT-GENERAL'S OFFICE, *April* 7, 1855.

It is not proposed to make such disposition of the new regiments as will interfere with the arrangements now being made in the Department of Texas.

JEFF'N DAVIS,
Secretary of War.

WAR DEPARTMENT, *April* 11, 1855.

No. 21.

Hon. JEFFERSON DAVIS, *Secretary of War, War Department, Washington, D. C.:*

We, the undersigned, citizens of Gillespie County, State of Texas, beg to lay before the Secretary of War the following statement of facts, and hope he will give it his earliest attention.

On the 7th of February last, a party of Indians came down from the direction of Fort Terrett into the valley of Threadgale Creek, where petitioners have stock-farms, and killed with spears and arrows thirty head of fat beef-cattle. They made a second attack on our farms on the 30th of last month, and killed two head of beef-cattle and four hogs and drove off between one hundred and fifty and two hundred head of very valuable cattle, all these belonging to petitioners.

We beg further to state that, while the post at Fort Terrett was garrisoned with United States troops, we never had any Indians come into this valley, and felt quite secure in our lives and property; but, since that post has been abandoned, we have lost nearly all our stock, besides many valuable horses and mules.

We beg, at the same time, to acquaint the Secretary of War that our stock-farms are situated about one and a half miles from the road leading from Fredericksburg to Fort Terrett, being distant twenty-five miles west from the former town, and we are now compelled to abandon these farms to save our lives, and have brought the remainder of our stock close to this town for more protection. Petitioners hope that the honorable Secretary of War will take the above circumstances into consideration, and, if he has any troops at present at his disposal, that he will afford us the necessary military protection we so much need on this exposed frontier.

J. E. DOSS,
WM. G. THOMAS,
CHARLES A. CAMPBELL.

FREDERICKSBURG, *Gillespie County, Tex., April* 9, 1855.

THE STATE OF TEXAS, *County of Gillespie:*

I, F. Wrede, county clerk in and for the aforesaid county, hereby certify that J. E. Doss, W. G. Thomas, and Charles A. Campbell are persons to me well known, and are worthy of credit and belief; and I do further certify that the facts stated in the foregoing communication are true, and that the Indian hostilities in this county and vicinity are of such an aggrieved nature as to demand the interposition of the government, by giving the citizens of this community immediate special protection.

Given under my hand and official seal this 12th day of April, A. D. 1855.

F. WREDE, *Clerk.*

Copy furnished General Smith, May 17, 1855, indorsed as follows: Copy for the information of the commanding general of the Department of Texas, who is desired to afford such protection in this case as may be in his power, consistent with the wants of other sections of his command and the interests of the public service.

Respectfully furnished, by order.

S. COOPER, *Adjutant-General.*

ADJUTANT-GENERAL'S OFFICE, *May* 17, 1855.

No. 22.

WAR DEPARTMENT, *Washington, May* 12, 1855.

GENTLEMEN: I have received your letter of the 9th ultimo announcing the attacks upon your farms and killing of your cattle by the Indians.

In reply, I have to inform you that I have directed that the facts in your letter be communicated to Major-General Smith, commanding in Texas, for such action on his part as will afford you all the protection he can give, consistently with the wants of other sections of the country and the interests of the public service.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

Messrs. J. E. DOSS, WILLIAM G. THOMAS, and CHARLES A. CAMPBELL,
Fredericksburg, Gillespie County, Tex.

No. 23.

HEADQUARTERS DEPARTMENT OF TEXAS,
Corpus Christi, May 28, 1855.

COLONEL: I have the honor to acknowledge the receipt of your reference to me, dated May 17, of the letter of J. E. Doss, William G. Thomas, and Charles A. Campbell, dated April 9, complaining of Indian depredations on the 7th of February and 30th of March last.

When Sensaco's band of Comanches were notified by the Texan settlers near Fort Chadbourne that they were to be attacked, a part of them made an incursion toward the settlement, and killed and drove off some cattle between the Colorado. Brevet Major Merrill, Second Dragoons, was detached by Major Steen from Fort Belknap with a strong party, who scoured the country near and beyond Fredericksburg, and Brevet Colonel May detached Lieutenant Norris, Second Dragoons, with half of the strength at Fort McKavitt, who searched the country more to the westward. They found the Indians—in all about twenty-three—had retired, and a few days since, the whole frontier being undisturbed, the last of the detachments returned to its post. The object of the writers of the letter referred to seems to be rather to have troops again stationed at Fort Terrett than that any should be kept in motion through the country. It undoubtedly is greatly to the advantage of those persons who keep small stores that they should be near a post to which trains are frequently going, as the traffic with teamsters is very profitable; but, under ordinary circumstances, the troops moving over the country are more effective in keeping out Indians than those fixed at a post, and they are always ready for that duty, and prompt in performing it; and, unless I am otherwise directed, I will continue to employ in that way. The repetition of stories of depredations committed in the beginning of the winter, published in papers some distance off and copied again as new outrages, has multiplied, apparently, the number of incursions and amount of losses. There were many cattle killed for food, and some cattle and horses driven off, by Sensaco's band in their sweep through the country, but the Indians have been for some time retired, and the agent, Major Neighbours, has, I believe, opened a communication with those who were hostile, which I hope will end in pacifying them.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Col. S. COOPER,
Adjutant-General.

P. S.—We have here, on pretty good authority, the report that the Mexican States of Coahuila and New Leon have pronounced against Santa Anna, and that Tamaulipas is to join, and that a small Mexican garrison at Guerrero, about fifty miles below Laredo, had joined the insurgents.

PERSIFOR F. SMITH,
Brevet Major-General.

Respectfully submitted to the Secretary of War, in connection with the communication within referred to.

W. G. FREEMAN,
Assistant Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *June* 9, 1855.

No. 24.

EXECUTIVE OFFICE, *Austin, Tex., June* 20, 1855.

SIR: I inclose you a communication from Hon. William E. Jones, which is taken from the State Times, a newspaper published at this place, giving the account of the murder of a valuable citizen in the upper part of Comal County, on the Guadalupe River, by Indians, and also of thefts committed by them in the same vicinity. Mr. Jones is an old citizen of the State, and as highly respected as any man we have among us. His statement concerning this transaction I consider entitled to full credit. This murder was committed in a section of the State where no United States troops are stationed, and where depredations are frequently committed by the Indians during the last eighteen months, who have in every instance escaped punishment. This has emboldened them to renew their visits. I am assured that there is such excitement prevailing in that neighborhood that if the Indians shall again visit there the citizens will arm and turn out and make war upon any tribes that they may meet. Such an occurrence may bring on a general war with all the tribes upon our frontier, and, I fear, can only be avoided by stationing a company of mounted men to range the country from that settlement to the nearest post above. A knowledge by the Indians that such a force is in the vicinity will undoubtedly prevent them again from appearing there. I therefore request that you will, if possible, send a company of mounted men into that neighborhood for its protection, to remain there as long as the public service will permit.

Very respectfully, your obedient servant,

E. M. PEASE.

Brevet Maj. Gen. P. F. SMITH,
Commanding Department of Texas.

No. 25.

EXECUTIVE OFFICE, *Austin, Tex., July* 5, 1855.

SIR: From reliable representations made to me by citizens residing on the Guadalupe River and its tributaries in Comal and Bexar Counties, and on the Upper Blanco, I am well satisfied that a mounted force is necessary to protect those settlements from the thefts and murders to which they are constantly subjected by marauding bands of Indians, and since the United States Government has failed to notice those depredations or to furnish any force for the protection of these settlements, I have thought proper to authorize you, and I do hereby authorize you, to raise a company of mounted men to serve three months, unless sooner discharged. The company must not exceed in number that of a mounted company in the United States service, which is composed of one captain, one first lieutenant, one second lieutenant, four sergeants, four corporals, one farrier, two buglers, and seventy-four privates. Should you not succeed in raising a full company of privates, officers can be elected only in proportion to the number of men. There are no means at the disposition of the executive to furnish this company ammunition, arms, subsistence, or forage, and this authority is given with the understanding that this company can be made up of individuals who are able and willing to supply themselves with all these articles, and rely upon the justice of the legislature to reimburse them, and also to pay them for their services the usual amount allowed by the United States for similar service. Should you succeed in raising such a company, or a part of a company, you will forthwith return to this office a complete muster-roll thereof, and repair immediately to such point in the vicinity of the above-named settlements as will enable you to give them full protection against

the Indians. It is expected that you will be actively engaged in ranging in their vicinity, unless it may become necessary to pursue any marauding parties of Indians that may be found in the neighborhood, in which case you are authorized to follow them up and chastise them wherever they may be found. I rely with confidence upon your good sense and prudence to avoid attacking any Indians or tribes who are peaceably disposed, as such a course might bring on a general Indian war with all the tribes upon our frontier, which would be very disastrous for a season to our exposed settlement. I enjoin you, also, particularly, to prevent any trespasses being committed by those under your command upon the persons or property of citizens. I shall communicate what I have done to the general in command of this department, and should he desire to receive you into the United States service for a like time, and to perform similar duty, I shall expect you to be mustered under his orders, or should he send other mounted troops to the same neighborhood to perform the service for which you are destined, then I shall feel at liberty to discharge you at once. You will keep this office frequently and regularly advised of your proceedings.

Very respectfully,

E. M. PEASE.

JAMES H. CALLAHAN, Esq.

No. 26.

HEADQUARTERS DEPARTMENT OF TEXAS,
Corpus Christi, July 14, 1855.

COLONEL: I have the honor to acknowledge the receipt of a communication from your office, dated the 26th of June, inclosing a copy of a letter from the Mexican minister to the Secretary of State of the United States, in relation to rumors of an intended expedition from this side of the Rio Grande into Mexico, under Caravajal and other leaders.

The officers of the Army on that line have instructions to prevent any infraction of the law of 1818, and where the information they received or the proof they could obtain was sufficient, they have successfully carried out their instructions, as the former arrest of Caravajal and his associates will testify. On various occasions lately, on the rumor current in the neighborhood, various detachments of troops have been sent to scour the neighborhood and break up any such expeditions, but they have never succeeded in finding any, for these are not organized or created within our limits; the arrangements are all made in Mexico, and the parties singly retire to this side to remain in security until they are ready to operate, and as they are scattered along the frontier among the inhabitants, who are originally Mexicans, it is impossible to distinguish them, and such communication as they have with each other is private and cannot be detected.

Since the late occupation of Monterey by the insurgents, Caravajal and a number of others have crossed to join them, but as no information was given of the intended movement, and it was made without any appearance of hostile intention exhibited on our side, it could neither be detected nor prevented, for the river can be crossed anywhere.

If the information on which the Mexican consul at Brownsville founds his report was exact and sufficient, it would have enabled Major Porter to have succeeded in arresting it. It was because it was merely general rumor, without particulars, that the efforts of the officers were not successful.

Unless some one interested in suppressing these enterprises, and at the same time in the secrets of the offenders, will make known their plans, it is not likely that any correct knowledge of them will reach the officers who are on the lookout to prevent them, especially as these plans are now confined almost entirely to persons resident on the Mexican side, and it is far more difficult to trace any movement from the similarity of the population on the two sides of the river. The instructions to the officers are full, and they are zealous in the execution of them, but the circumstances I mention are more sufficient to account for their general ill-success than are those which prevent the Mexican authorities from keeping the Indians they have by treaty with them located on the Rio Grande from El Paso to Camargo from crossing weekly on to our side to murder and rob and carry back their booty for sale in sight of our frontier.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Col. S. COOPER,
Adjutant-General.

Respectfully submitted to the Secretary of War.

S. COOPER, *Adjutant-General*

ADJUTANT-GENERAL'S OFFICE, *July* 28, 1855.

No. 27.

EXECUTIVE OFFICE, *Austin, Tex., July* 25, 1855.

GENTLEMEN: I have received and attentively considered the application signed by you and a large number of other citizens of your county, asking me to call out another company of volunteers for the protection of Bexar and Medina Counties against the depredations of the Indians. I am fully aware of the truth of the details you give in regard to the depredations of the Indians to which your citizens have been so constantly subjected for the past year, and have made frequent representat ons on the subject to the commanding general of the department and to the Secretary of War. Since I authorized Captain Callahan to call out a company of volunteers for the protection of the settlements on the Guadalupe and its tributaries, I have received a letter from General Smith, dated the 15th instant, in which he says he will send a party of mounted riflemen to the neighborhood where the recent depredations were committed as soon as the command of Major Simonson returns from the duty he is now engaged in. In the mean time I will d rect Captain Callahan to station a part of his company, as soon as it is raised, at such points as will enable them to give protection to the settlements of Bexar and Medina Counties. Should these not prove sufficient to give security to the settlers, I will not hesitate to call out other volunteers.

Very respectfully, your obedient servant,

E. M. PEASE.

Messrs. A. A. MUNCEY, S. A. MAVERICK, A. A. LOCKWOOD,
and other citizens of Bexar County.

No. 28.

EXECUTIVE OFFICE, *Austin, Tex., July* 25, 1855.

DEAR SIR: Since I issued authority to you to raise a company of volunteers for the protection of the citizens residing on the Guadalupe River and its tributaries, in Comal and Bexar Counties, I have received from the citizens of Bexar County a memorial, asking for a small volunteer force for the protection of the frontier settlements in Bexar and Medina Counties, which have been lately harassed by the depredations of the Indians.

I have also received a letter from General Smith, in which he says that he will soon send a party of mounted riflemen to the neighborhood where the recent depredations have been committed. This information has induced me to believe that, instead of calling for additional volunteers besides your company, it will be better for the present to divide your company and send a portion of it to such a point as will afford protection to the settlements in Medina and Bexar Counties, west and south of the point where it was first intended your entire company should be stationed. I therefore desire that you should divide your company and station one portion of it on the Guadalupe where the recent depredations were committed, and the other portion at such point as will afford protection to those settlements in Medina and Bexar Counties that have recently been visited by the Indians. Should you not succeed in making up your company, I have no doubt it can be filled up readily in San Antonio and Castroville, when it is known that a portion of the company is to be employed in their vicinity, and this, too, I presume, will facilitate your obtaining the necessary supplies.

Please let me hear of your movements as often as practicable.

Yours, with respect,

E. M. PEASE.

JAMES H. CALLAHAN, Esq.

No. 29.

SAN ANTONIO, *September* 5, 1855.

SIR: I came to this place with the hope of meeting and having a consultation with you in regard to the depredations recently committed in this county by the Indians, supposing that you were still here, but I find that you have returned to Corpus Christi, and are not expected to be here before the first of next month.

Major Belger has shown me a letter that he has written to you, giving an account of the murder of the son of the Rev. Mr. McGee, on the Cibolo, some fifteen or twenty miles below this place. The facts, as stated by him, are confirmed by several citizens well known to me, who reside in the neighborhood where the boy was killed. The same party who killed this boy also pursued several citizens who were out hunting cattle, but they made their escape. They also stole horses from several other farms on the Cibolo, at different points for twenty or twenty-five miles above Mr. McGee's. Several small parties have been in pursuit of these Indians, some of which are still out, and I trust will come up with them. I know not precisely what course to recommend to stop these depredations, but, unless something is done speedily, the settlements on the streams above and west of this place will have to break up. Horses

have been stolen, within the last month, from several ranches within fifteen or twenty miles of this town, and there is no doubt that in every instance it has been done by Indians. It does seem to me that one or two companies of mounted men might be stationed, in parties of thirty or forty, at different places near the settlements, from the head of the Llano down to the mouth of the Rio Frio, and perhaps below there on the Nueces, so far as to intercept these small parties of Indians who commit these outrages. The company under the command of Captain Callahan, which I called out a few weeks since and stationed near the head of the Guadalupe and the Blanco, have put a stop to the depredations which the Indians were committing in those neighborhoods for two or three months previous. My situation in regard to these matters is a very embarrassing one. Our citizens are entitled to protection from the general government, but, not receiving it, they appeal to the State authorities. There is great danger, if I call out volunteers, that they may, in their zeal to punish the Indians, do something to interfere with the efforts now making by the general government to settle Texas tribes at the reservations on the Upper Brazos. I think, if I could have a consultation with you on this subject, some plan might be devised to give protection to the frontier settlements of this and the adjoining counties, and, if agreeable to you, I will meet you at this place when you return here, if you will inform me what time you expect to return.

In case you do not expect to return here soon, I wish, if it is in your power to do so, that you would send a company or two of mounted men immediately to range from the mouth of the Frio to the head of the Llano. This will give confidence to the settlements north and west of this, and keep them from breaking up, and relieve me from the necessity of calling out additional volunteers to perform that service. In the mean time I will delay further action, with hope of hearing from you at an early day.

Very respectfully, your obedient servant,

E. M. PEASE.

Brevet Maj.Gen. PERSIFER F. SMITH,
Commanding Department of Texas.

No. 30.

SAN ANTONIO, *September* 5, 1855.

GENTLEMEN: Your letter of the 1st instant, giving an account of the depredations recently committed in this vicinity by the Indians, and inclosing the proceedings of a public meeting of the citizens of this place, was received at Austin on the 3d instant. Supposing that General Smith was still at this place, I came immediately here with the view of meeting him and inducing him to adopt measures to prevent a recurrence of similar proceedings. Not finding him here on my arrival, I wrote to him yesterday by express, detailing the recent murders and thefts committed by the Indians in this county, and requested him to furnish a sufficient mounted force to be stationed at such points as will hereafter give protection against further attacks of the kind.

I expect to get a reply from him in a few days, and unless he gives me assurances that such a force will be soon furnished, I shall consider it to be my duty to call out a company of volunteers to protect the lives and property of our frontier citizens until the legislature, soon to assemble, can take such further steps as may be deemed necessary to effect that object.

Very respectfully, your obedient servant,

E. M. PEASE.

Messrs. C. EVANS, BEN. E. EDWARDS, and H. B. SAUNDERS.

No. 31.

HEADQUARTERS DEPARTMENT OF TEXAS,
Corpus Christi, September 8, 1855.

COLONEL: I have the honor to acknowledge the receipt of your communication of the 21st of August, inclosing documents relative to alleged projected incursions into Mexico. The rumors, upon which complaints are made by the Mexican minister, are almost without foundation. An adventurer, whose proclamations appear in the Texas newspapers—with a view of inducing others to join him—announces that he is about to invade the neighboring States of Mexico, and has already several hundred men arrayed in this enterprise, and some partisans of his assist him by giving currency to the same tale. Every one here knows how little confidence was to be placed in it, and it was not really worth noticing, lest it might be raised to a consequence it did not merit.

Finally, he, with about twenty men scattered along the river, crossed where there was no one to oppose, and offered to join the revolutionists, but, being as well appreciated on that side as on this, their services were refused, and they were advised to cross back to Texas. They were consequently broken up, and most of them returned. They

are, altogether, of so little consequence that it would be hard to find any one who could testify against them or distinguish them from the ordinary crowd that loiter about frontier towns.

The Lipan Indians, who are located in Mexico, near our border, and protected by the authorities there, cross constantly, in small parties, and steal horses and mules. The country being flooded by late rains, it is almost impossible to trail them, and the mounted riflemen who have attempted it have not been successful for that reason. Many of the citizens who have lost animals have, I understand, associated themselves together to follow these parties from their crossings of the Rio Grande toward the Lipan camp, to recover their animals. It is, probably, the approach of these parties to the river which has given some confirmation to the rumors about invasion, but the persons engaged in this pursuit are of entirely different character and have different objects from those first mentioned.

If the tenth part of the labor spent by our soldiers to prevent infractions of the "neutrality laws" were employed in Mexico to restrain the Indians, even this last-mentioned project would not have been undertaken.

The Mexican minister may be assured that the troops here will carry out earnestly the intentions and instructions of their government.

With the highest respect, your obedient servant,

PERSIFER F. SMITH,
Brevet Major-General, Commanding Department.

Col. S. COOPER,
Adjutant-General.

Respectfully submitted to the Secretary of War.

S. COOPER, *Adjutant-General.*

ADJUTANT-GENERAL'S OFFICE, *September* 25, 1855.

(See letter to Secretary of State, 29th September, 1855.)

No. 32.

BRAZOS AGENCY, *Texas, September* 12, 1855.

SIR: For your information I deem it proper to inclose a copy of a supplemental treaty to the treaty of 1846, concluded between Special Agent George W. Hill and myself, on the 30th of August, 1855, with the Indians now "actually" settled on the Indian reservations on the Main and Clear Fork of the Brazos. That agreement, with a statement of our action, has been submitted to the honorable Commissioner of Indian Affairs for his approval, and it is necessary to have the co-operation of the military in carrying out the present policy. I would respectfully request, if not inconsistent with your orders, to respect and enforce the conditions of the agreement between the agents and the Indians and afford them the protection promised.

In accordance with my instructions from my department I have made contracts for the erection of agency buildings and for preparing farms for the Comanche Indians on the Clear Fork of Brazos (Comanche agency), and shall have in the course of next week some hands at work at that point. As I have already found myself embarrassed by bands of Northern Comanches (who are not settlers), and have no protection against them, should they choose to depredate, and I shall in a short time have government stores exposed to their attacks, I would respectfully request you to furnish me with protection at that point. If you can at this time furnish temporarily, say, thirty men, or one company, if they can be spared from the post, it would afford all the protection that I would require. The Indians who are actual settlers give every assurance that there is nothing to fear from them, but they, as well as the employés of the government, require protection against the intrusion of the Comanche bands farther north. Should you not feel authorized to give permanent protection, as required at the Clear Fork or Comanche agency, you will please refer the subject to the commanding general of this department, as the Indian agents will find it impossible to reside permanently on the reserve and to execute their duties properly unless sustained by the military authorities.

Very respectfully, your obedient servant,

ROBT. S. NEIGHBOURS,
Supervising Agent, Texas Indians.

Maj. G. R. PAUL, U. S. A.,
Commanding Fort Belknap, Texas.

No. 33.

At a general council held at Brazos agency, Texas, by and between Robert S. Neighbours, special and supervising agent, and George W. Hill, special agent Texas Indians, on part of the United States, and the undersigned, chiefs, counselors, and warriors of

the Comanches, Anadakko, Caddo, Waco, Tawaccano, and Tonkahwa tribes or bands of Indians, for and on behalf of these said tribes, on the 30th of August, 1850, it is stipulated and agreed as follows, to wit:

ARTICLE 1. The undersigned, chiefs, counselors, and warriors, for themselves and these said tribes, do hereby sanction and acknowledge in full force each and every stipulation of the articles of a treaty made and concluded at Council Springs, in the county of Robinson, Texas, near the Brazos River, on the 15th day of May, A. D. 1846, between P. M. Butler and M. G. Lewis, commissioners on the part of the United States, of the one part, and the chiefs, counselors, and warriors of the Comanche, Ionie, Anadakko, Caddo, Lipan, Tonkahwa, Keechee, Tawaccano, Wichita, and Waco tribes of Indians, and their associate bands, on behalf of these said tribes, of the other part, as amended by the resolution of the Senate of the United States of America on the 15th day of February, 1847, ratified and confirmed by the President of the United States of America on the 8th day of March, 1847, a copy of which said treaty is hereto annexed; and we further agree to the following supplemental articles for our government as settlers on the Indian reservations of the Main and Clear Fork of Brazos River, in the State of Texas.

ARTICLE 2. We agree to abandon forever a roving or hunter's life, and will settle down permanently on the lands selected for us, as per act of the legislature of the State of Texas approved February 6, 1854, and to devote all our own energies to the cultivation of the soil and to raising stock as a means of subsistence for ourselves and families.

ARTICLE 3. We promise and agree at as early a day as practicable, with the assistance and concurrence of the United States Indian agent, to establish laws and police regulations for our government in our towns and villages for the correction and punishment of crimes and offenses.

ARTICLE 4. It is further stipulated and agreed that no Indian (party to this agreement) shall leave the reservations without the consent of the Indian agent, and should any Indian or band of Indians absent themselves from the reservations, contrary to the wishes of the agents and in violation of this agreement, he or they shall be liable to forfeit all the rights of settlement conferred by this agreement, and is also liable to be declared and treated as an enemy.

ARTICLE 5. All differences and disputes likely to create a difficulty between tribes or bands, parties to this treaty and agreement, shall be referred to the United States Indian agents and head-chiefs of such tribes for adjustment upon fair and equitable terms, and their decision shall in all cases be received as a final settlement between the parties.

ARTICLE 6. We agree that no other tribes or bands shall be introduced or settled on either of the reservations, unless by the concurrence of the Indian agents and of the tribes or bands, parties to this treaty and agreement, and absent members of the tribes now settled shall not be allowed to visit here except he first obtains the consent of the agent under whose jurisdiction he resides, nor shall they be allowed to settle here or attach themselves to the tribes now settled here, until they agree to observe all the articles of this treaty and agreement and obtain the concurrence of the agent in charge, and shall agree to acknowledge fully the authority of the chief acknowledged by the agents as the head of the tribe.

ARTICLE 7. We also agree to break off all intercourse with bands of Indians outside of the reservations who refuse to settle down, except it be carried on with the knowledge and consent of the agents, and in all cases to report as soon as possible the arrival of any Indian or party, and to assist the agents in arresting all intruders or depredators who may be found inside the lines of the reservations contrary to treaty stipulations.

ARTICLE 8. We further agree to give assistance and protection to all farmers, laborers, and other employés of the government on the reservations, and to assist them in the preservation of all articles, farming-utensils, animals, &c., furnished by the government, and should any person sell or wantonly destroy any farming-utensil, wagon, oxen, stock, cattle, or any other article furnished by the government, under this agreement, he shall, upon conviction, be punished according to the laws of the United States, and shall be liable to forfeit all his rights and immunities as a settler on the reservations, and it shall be the duty of the chiefs of each tribe to give the agents notice of all violations of this agreement.

ARTICLE 9. In consideration of the faithful observance of all the articles of the above treaty and agreement, the United States, through its agents, agree to protect and maintain all the members of the tribes, parties to this agreement, in the peaceable possession of the lands embraced in the limit of the said reservation, and in their lives and property against injury or molestation from citizens of the United States while on said reservations, and to afford such protection against and aid in reclamation for injuries from other tribes of Indians, whether friendly or hostile, as may be at the control of such agents, or as is afforded the citizens of the United States, and to award them ample justice under the laws of the United States in accordance with the provisions of the above treaty.

ARTICLE 10. That the United States, through its agents, agrees to furnish the said tribes, parties to this agreement, farmers, to assist and instruct them in the preparation and cultivation of their farms, to furnish them with a blacksmith and with iron and steel, to give them necessary farming-utensils, wagons, teams, plows, &c., to enable them to commence their farms, and to assist and instruct them generally in the cultivation of the soil, and to give them stock-cattle and other domestic animals, all at the discretion of the President of the United States, and to furnish them regularly with such rations as may be deemed necessary to enable them to support their families until they can subsist themselves by their own exertions, and the general government is hereby pledged to pursue that course of policy with the settlers on these reservations deemed best calculated to advance them in the arts of civilized life and to make them a self-sustaining people.

ARTICLE 11. The Indian agents, under the instruction of the President of the United States, shall exercise full discretion as to time, places, &c., of the delivery of all articles to be furnished said tribes or bands under the provisions of this treaty and agreement.

ARTICLE 12. This agreement, this day entered into by and between the undersigned parties, to be and remain in full force and effect at the discretion of the President of the United States of America, but no change to this agreement shall be made until after due consultation with the chiefs of the tribes who are parties hereto.

Given under our hands and seals on the day and date above written.

ROBT. S. NEIGHBOURS, [SEAL.]
Supervising Agent Texas Indians.

G. W. HILL, [SEAL.]
Special Indian Agent.

An-a-dah-ko:	JOSÉ MARIA,	his x mark.	[SEAL.]
	CHA-BE-AN-O,	his x mark.	[SEAL.]
	JOHN LINNEY,	his x mark.	[SEAL.]
	JIM POCK-MARK,	his x mark.	[SEAL.]
	CHI-YA,	his x mark.	[SEAL.]
Waco:	A-HAH-DOT,	his x mark.	[SEAL.]
	A-QU-QUASH,	his x mark.	[SEAL.]
	A-SA-QUASH-SHE,	his x mark.	[SEAL.]
	HEU-CHE-KILS,	his x mark.	[SEAL.]
Tu-ka-hwa:	PLICIDOUR,	his x mark.	[SEAL.]
	CHA-PA-TON,	his x mark.	[SEAL.]
	JIM-SON,	his x mark.	[SEAL.]
	WHITE,	his x mark.	[SEAL.]
Co-man-che:	KA-TUM-SEE,	his x mark.	[SEAL.]
	PE-AT-A-QUASH,	his x mark.	[SEAL.]
	TO-SHA-HUA,	his x mark.	[SEAL.]
	PI-NA-HOUT-SA-ME,	his x mark.	[SEAL.]
	MU-RA-QUE-TOPH,	his x mark.	[SEAL.]
	KE-PAC-A-WITE,	his x mark.	[SEAL.]
	WI-CHI-KEE,	his x mark.	[SEAL.]
Cad-do:	TI-NAH,	his x mark.	[SEAL.]
	CHE-EN-HU,	his x mark.	[SEAL.]
	CO-CHE,	his x mark.	[SEAL.]
	NI-BUC-UN-IN,	his x mark.	[SEAL.]
Ta-wac-cau-no:	O-CHE-LAS,	his x mark.	[SEAL.]
	NOCH-UTS-I-OCHS,	his x mark.	[SEAL.]
	WAS-TED-AC-DREE,	his x mark.	[SEAL.]
	WACO,	his x mark.	[SEAL.]
	UC-KA-TART,	his x mark.	[SEAL.]
	HED-E-KOK-ISH,	his x mark.	[SEAL.]

Interpreters:

JOHN CONNOR, his x mark. [SEAL.]
Interpreter for Comanche Reservation.

JIM SHAW, his x mark. [SEAL.]
Interpreter for Brazos Reservation.

D. A. BICKEL, [SEAL.]
Interpreter (Spanish) and Secretary.

Witnesses:
J. L. EVANS.
CH. E. BARNARD.
S. P. ROSS.
L. S. RIGGS.

No. 34.

HEADQUARTERS FORT BELKNAP, TEXAS,
September 15, 1855.

SIR: I have the honor to acknowledge the receipt of your communication of the 12th stant, transmitting a copy of a supplemental treaty entered into with different tribes Indians, and requesting the assistance of a part of the troops of my command to rry out its stipulations. The troops at this post will always be found ready to coerate with the Indian agents in maintaining quiet and order among the different bes within the several reservations, and also in protecting them from marauding or range Indians. Owing, however, to the small number of officers at the post, I do not el authorized to station permanent detachments on the reserves; but, until the pleasre of the commanding general of the department is known, I shall send scouts from ne to time, which, by their periodical appearance, may answer the object in view.

I am, very respectfully, your obedient servant,

G. R. PAUL,
Brevet Major, U. S. A., Commanding Post.

Maj. R. S. NEIGHBOURS,
Supervising Agent Texas Indians, Brazos Agency, Texas.

No. 35.

HEADQUARTERS FORT BELKNAP, TEX.,
September 16, 1855.

SIR: I have the honor to inclose a copy of a supplemental treaty recently made by S. Neighbours, esq., with certain Indian tribes, a copy of his letter of the 12th instant, and a copy of my answer thereto.

Hoping that my answer will meet the views of the commanding general, I remain ur most obedient servant,

G. R. PAUL,
Captain Seventh Infantry, Brevet Major, U. S. A.

ASSISTANT ADJUTANT-GENERAL,
Department of Texas, Corpus Christi, Tex.

No. 36.

AUSTIN, *September* 25, 1855.

GENTLEMEN: I have the honor to acknowledge the receipt of your letter of the 17th stant, inclosing the proceedings of a public meeting and a petition of citizens of Goliad ounty, giving a detail of depredations recently committed in your vicinity by Indians, nd asking me to authorize the raising of a company of rangers for your protection. revious to the receipt of these papers I had been informed of most of the facts detailed in your petition, and had requested General Smith to place a sufficient mounted rce on the line of the Nueces, to range from the neighborhood of Fort Ewell up to he head of the Llano, and I have just received information from him that he has rdered three companies of mounted riflemen to perform that service. These troops I rust will prove sufficient to give security against further incursions of Indians into our country; if they do not, I will endeavor to have additional troops ordered to that ortion of our frontier; and if I cannot succeed in this, I will then consider it to be my luty to call out volunteers to act under the authority of this State.

Very respectfully, your obedient servant,

E. M. PEASE.

Messrs. FAUNT LEROY, A. H. BRISCOE, and JNO. M. CRANE.

No. 37.

WAR DEPARTMENT, *Washington, September* 20, 1855.

SIR: Referring to my letter of the 17th ultimo, in reply to yours of the 16th, inclosing translations of two notes from the Mexican minister on the subject of rumors of newly-projected incursions into Mexico from the United States, I have the honor to transmit herewith a copy of a report from Brevet Major-General Smith, commanding Department of Texas, on the subject, and stating that the rumors are almost without foundation.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

Hon. W. L. MARCY,
Secretary of State.

No. 38.

FORT DUNCAN, TEX., *October* 4, 1855.

SIR: I have the honor to report that, without my knowledge, three nights since, a party of armed Texans crossed the river two miles or more below this post, for the purpose, as I am informed, of chastising the Lipan Indians, who have for some time past been committing depredations on the property and persons of the people of Texas, and then for safety escaping into Mexico. Yesterday morning this party left their camp on the opposite side of the river and marched toward San Fernando, and when within eight or ten miles of that place were opposed by a large number of Mexicans and Indians. A fight ensued, in which several Texans were killed and wounded; with what results as to the opposite party I am not informed. Last night, a little before tattoo, a Texan, badly wounded, returned here and reported that the Mexicans had attacked the Texans with such an overwhelming force that he feared they had all been killed; and early this morning I received repeated messages that the Texans who had escaped from the fight yesterday were on the opposite side of the river asking assistance from me to cross the river, stating that they were pursued by the Mexicans and Indians and expected to be attacked every minute. Under the circumstances, I deemed it my duty to render assistance, so far as it might be necessary, to protect them while crossing, and I immediately placed several heavy guns in such a position as to command the ferry and crossing. Up to the time of writing, about 12 o'clock m., no Mexicans or Indians have made their appearance; and the Texans, so far from crossing to this side of the river, have, as I am informed, seized upon the village of Piedras Negras, are strengthening the place, and intend to hold it until they receive re-enforcements from Texas; with what object now I do not know, unless it be to make war upon Mexico. Captain Callahan, I understand, is the commander, and he is the captain of a company of volunteers called into the service of the State of Texas by the governor for the protection of the frontiers. As this matter is likely to become quite serious, the Texans, on hearing of the situation of their countrymen and of the death of their friends, will flock to the frontier in large numbers and will cross the river in spite of resistance. I respectfully beg leave to ask for instructions for the government of my actions in this matter. If the Texans should persist in crossing, acting under the orders of the governor, as they appear to be doing, I have no force sufficient to oppose them, admitting it to be my duty to do so. If some persons of standing and influence do not immediately interfere, open war must follow in a very short time.

Very respectfully, your obedient servant,

S. BURBANK,
Captain First Infantry, Commanding.

ASSISTANT ADJUTANT-GENERAL,
Department of Texas, San Antonio.

No. 39.

SAN ANTONIO, *October* 4, 1855.

DEAR SIR: Since my arrival at this place, I have learned from General Smith that he will send a force of mounted riflemen to take your place at the expiration of your term of service. Your company will therefore be mustered out of service at the expiration of three months from the day you were mustered in; and for that purpose you will march your company to San Marcus, and report to Col. John D. Pitts, who will have orders to muster you out. This communication is addressed to you, supposing Captain Callahan to be still absent; when he returns, he will act as if this were addressed to him.

Yours, with respect,

E. M. PEASE.

Lieut. EDWARD BURLESON.

No. 40.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, October 7, 1855.

CAPTAIN: I am directed by the general commanding the department to say that he has received full powers from the President of the United States to carry out the neutrality laws. He has been informed that a party of armed persons has lately crossed the Rio Grande River, in the vicinity of your post, with the intent to violate those laws, and he therefore directs you to use every means in your power to maintain

them inviolate, by giving warning first to any such parties, and to arrest them, and, if necessary, to use the force at your command for preventing such attempts. You will, as far as possible, take steps to arrest any persons that may be attempting to cross with hostile intentions, and keep them under guard until they can be sent to be tried before the nearest United States court. The general also directs that you take the necessary steps to protect the settlements in your vicinity from robbery by such parties, by posting guards, &c., even if the whole force at your command be necessary for that purpose.

I am, sir, very respectfully, your obedient servant,

ALFRED GIBBS,
Brevet Captain and Aid-de-Camp, A. A. A. G.

Capt. SIDNEY BURBANK,
First Infantry, Commanding Fort Duncan, Tex.

HEADQUARTERS OF THE ARMY,
New York, November 1, 1855.

Respectfully forwarded by command of Brevet Lieutenant-General Scott.

L. THOMAS,
Assistant Adjutant-General.

Respectfully submitted to the Secretary of War.

S. COOPER,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *November* 2, 1855.

No. 41.

HEADQUARTERS, FORT BELKNAP, *October* 7, 1855.

SIR: I have the honor to report that several weeks ago a party of Northern Comanches drove off from the lower reservation about forty horses belonging to Delawares. A party of the latter Indians was formed (with the sanction of the agent, Captain Ross), who went in pursuit of the robbers. When about ten miles from Red River, the Delawares left the trail they were on to go to a water-hole, and, in doing so, crossed a fresh trail, which they immediately followed up. They soon came up to a band of Northern Comanches, who told them they were on their way to the settlements to steal horses, &c. The Delawares, thirteen in number, then attacked these Comanches, killing seven and capturing ten horses, beside bows and arrows, shields, &c. They also got a black cloth sack-coat, in the pockets of which a daguerreotype likeness of a gentleman was found. This may perhaps lead to a war of retaliation toward the friendly Indians on the reservations; and unless mounted troops are soon sent here, the white settlers on the Clear Fork of the Brazos will not be able to remain on their farms.

I am, sir, very respectfully, your obedient servant,

G. R. PAUL,
Captain Seventh Infantry, Brevet Major, U. S. A., Commanding Post.

ASSISTANT ADJUTANT-GENERAL, U. S. A.,
Headquarters Department of Texas, San Antonio, Tex.

No. 42.

BRAZOS AGENCY, *October* 7, 1855.

SIR: The scouts, consisting of twelve Delawares and one Caddo, left on the 24th in pursuit of the horses stolen from this agency, and returned on the morning of the 4th, report as follows, to wit: They followed the trail five days a northwest direction, at which time they discovered another trail going the same direction, but much fresher than the one they were following, but determined on following it. After pursuing it about half the day, crossed Red River to rest their horses, they discovered ten Indians coming; meeting them when they came near, Jacob, the captain of the scouts, went out to meet their captain, who told him that he was a Yamporeco, and was going down to our frontier to kill and steal horses. He said he had just met two Indians (Nocomys) who had been down and killed one man near the mouth of the Clear Fork of the Brazos, and stole seven head of horses on or near the Leon, and that the horses that were stolen from this agency were taken by five Tenawish men. Jacob then proposed that he

should camp for the night. After camping within thirty steps of each other they then held another conversat on; he then told the Delawares that the Northern Indians had declared war upon all people south of Red River, white and red. Jacob then told him that he lived on the Brazos reservation, and showed him his pass that I gave him. Neither party made fire for the night, but watched each other. About midnight proposed to gamble with the Delawares, but the captain told him he had not there to gamble; however, he had no objection to four men playing at a time, and whilst they were playing the Delawares managed to cut three or four of their bow-strings half in two. The Yamporeco told his men that at daylight he should commence the fight. Neither party slept during the night. Just as day was breaking the Yamporeco ordered his men to fire, but the Delawares understanding them, fired first, and killed four the first fire and charged their camp, killing three and wounding one; letting two escape to tell the news. They found on them a black cloth coat, velvet collar; also one undershirt, striped, and from stains of blood showed to have belonged to some white person killed by them. They also found in their possession a daguerreotype which I send you, as it may probably lead to the discovery of who the man was killed. They brought in ten head of horses and mules and seven scalps. They are going to have a scalp-dance to-day. Our Indians are anxious to hear from you. They say with two hundred Texans they can whip all of the Northern Indians. The shield belonging to the Yamporeco had fifteen or twenty female scalps fastened to it, about half of which are white scalps. When I see you I will give you more of the particulars.

Yours, very respectfully,

S. F. ROSS,
Special Agent Texas Indians.

Maj. R. S. NEIGHBOURS.

No. 43.

BRAZOS AGENCY, *October* 7, 1855.

DEAR SIR: As Mr. Harris leaves for Waco this morning, I avail myself of the opportunity to drop you a few lines. I came down to get Mr. Bickel to assist me in making out my returns. I left all well at my agency, and the Indians quiet and contented. Twenty-four of Shenaco's tribe came in, and report that he will be in before long. Two men returned from Mexico, bringing some nine or ten horses which Ketumsee took from them, and turned over to me; he also sent a man to a band of Noconies and brought in five more horses, four of them Delaware horses and one of Jim Shaw's. Harris's men are at work and pushing things. The party of Delawares that left when you did, or a day or two after, returned, bringing in seven scalps and ten horses. They report that they followed the trail of their horses for several days, and that it gave out, but they continued the direction until they struck a fresh trail (which was the two that killed Skidmore). They followed that trail across Red River and stopped at noon, when a party of ten Comanche warriors came up to them. They had a talk and finally camped together, each party watching the other, for Jacob says he could understand all they said, and that they agreed among themselves to attack the Delawares and kill them and take their horses next morning at daybreak, but the Delawares lay awake all night, and at daybreak they opened fire upon them and killed four, charged the rest and killed all but two, one of whom was badly wounded, and the other they could have killed, but they wanted him to carry the news of their defeat back to the Comanches. One they did not scalp, as he fell into a water-hole and sunk. They brought in the bows, lances, shields, and tricks of the party. They told Jacob they had met the Indians that killed old Skidmore and had learned from them that there were plenty of horses down here, and they were on their way down to kill and steal, and that a large war-party was coming down to kill John Conner, Ketumsee, Lambshead, and all they could find. They seemed to know all about the condition of the posts and our frontier, and said that they had joined the Sioux Indians against the whites in the north. The captain commanding the party killed was a Yamparico, and had a black cloth coat, an undershirt, and daguerreotype with him, and on his shield were some twenty scalps, mostly white women's hair. I have his shield and spear. The two Indians who killed Skidmore went on to the San Saba and stole seven horses and came back on their trail to the Caddo peaks; from there they struck due north and went to the main Comanche camp. A party of twelve men followed them and lost their trail; they then came on to the post, and then here to see Captain Ross. I have no doubt that we will have the devil to pay, and our frontier is in the greatest danger. I hope you will succeed in carrying out your plans, as it is the only hope I have of having anything done. The Indians here are ready and willing to go against the Comanches, and I think them about the best protection we have, if they are managed by some white man; a few killing scrapes more will give them a distaste to these parts anyhow. Jacob learned

om the captain he killed that the point selected for winter-quarters of all the wild dians was on main Red River, where it runs through the mountains, and that some ght or ten tribes had united with the Sioux in their war. John Connor says he und out from a Noconie that that is where they expect to winter. I think there ould be no difficulty in finding them if an expedition was gotten up. I shall return the Clear Fork in the morning and will keep a sharp lookout for any strange dians. I will make a requisition on Major Paul for a detachment of men to go out the agency and remain there, as I think it proper to give the government employés l the protection I can. I have given you the outline of the war-party. Mr. Bickle will rite more fully.

Respectfully, &c.,

J. R. BAYLOR,
Special Agent Texas Indians.

Major NEIGHBOURS.

No. 44.

FORT DUNCAN, TEX., *October* 8, 1855.

SIR: In continuation of my report of the 4th instant, in relation to the Texan volunteers, I have the honor to state that, pursuant to their resolution to remain on the lexican side of the river and occupy the town of Piedras Negras, they strengthened heir position as much as possible and awaited the result. The river was unusually igh and still rising at this time, and the impossibility of crossing their horses was he reason they give for remaining on that side of the river.

I received through an indirect channel, about dusk on the evening of the 5th instant, note purporting to come from the commander of the Mexican forces, asking my posi-ion in relation to the Texas volunteers. I did not reply; I did not know where the lexican commander was, neither did I deem it of importance. The next day (the 6th) he Texans crossed over some of their horses, intending, I believe, to come to this side s soon as they could get their horses over; the river in the mean time had fallen consid-rably, but about four o'clock in the afternoon the Mexican forces advanced upon them. The moment they came in sight, to my astonishment, the Texans commenced firing the own, and in a few minutes nearly every house in the place was in flames, and while t was burning Captain Callahan sent me a message, asking my protection and assist-nce for him to cross the river. I sent him a decided refusal. Thus matters continued ntil after dark, the Mexicans making no attack on the place. Soon after dark I re-eived a note signed by Callahan and Henry, asking the protection of the United States lag to enable them to cross the river, stating that their men were deserting them; that hey had then but about seventy, and they were not able to contend with the Mexicans—ome six or seven hundred. I replied that they had deliberately come to the deter-ination to make a stand against the Mexican forces, and after what had transpired hey must abide by that determination; but that they had possession of the boats, and I did not see but that they could easily cross to this side of the river, leaving their horses, which they would have to abandon. I believe they commenced crossing, and ontinued to do so until about 11½ o'clock, when another message was sent imploring ny assistance to save them from destruction; the boat had got loose and gone down the river, thus cutting off all chance of escape. I then consulted with some of the officers as to what course it would be proper to pursue, but before I made up my mind fully as to my action, I learned that the boat was not lost; had broken from the line; but had been brought ashore, and the Texans were crossing as rapidly as possible, and at that time, about 2 o'clock a. m. (7th), they were mostly over the river, not being interrupted by the Mexicans. During yesterday they crossed over most, if not all, their remaining horses, and are now encamped somewhere in this vicinity. Nearly all the inhabitants abandoned Piedras Negras as soon as the Texans occupied it; a great many crossed to this side, and others left for the neighboring towns in Mexico, I presume. They are in a state of great destitution at this time, and I would suggest that provisions should be issued to such as are suffering.

My situation is an embarrassing one, to preserve peace and at the same time prevent acts of hostility. The Mexicans are said to be very much exasperated, and threaten retaliation, and the inhabitants of Eagle Pass are in great alarm. I have to send them guards every night to pacify them, though I do not think there is any danger. There are said to be many Indians with the Mexicans (Seminoles), and it is these that they fear. I trust matters will soon be quieted, unless the Texans renew their attacks with recruited forces. In the mean time I await instructions from headquarters in case these forces should arrive at this point.

My command is much reduced, but I will make the most of it I can.

Very respectfully, your obedient servant,

S. BURBANK,
Captain First Infantry, Commanding.

No. 45.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, October 8, 1855.

SIR: I am directed by the general commanding the department to communicate for your information a copy of the instructions of the President of the United States, requiring him to prevent the carrying on of any armed expedition or enterprise from any place within the limits of this department against the territory or people of Mexico. The general is informed that such an invasion of Mexico has already recently been made from the vicinity of Fort Duncan, and that further similar invasions, for the purpose of re-enforcing the first, will probably be attempted; and it is his order, therefore, that you endeavor to prevent any such attempt within the reach of your command, and that you employ the force under your control to the fullest extent that may be necessary for that object, and for the fulfillment of the instructions of the President. All persons who may be arrested in such unlawful attempts will be sent to Brownsville, to be brought before the United States commissioner. If the commanding officer of Fort Duncan should call upon you for additional troops, the general directs that you dispatch them immediately, to the extent of three companies of infantry.

Very respectfully, your obedient servant,

D. C. BUELL,
Assistant Adjutant-General.

Bvt. Col. WILLIAM W. LORING,
Mounted Riflemen, Commanding Fort McIntosh, Texas.

Similar instructions sent to the commanders of Ringgold Barracks and Fort Brown.

D. C. BUELL,
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, October 9, 1855.

No. 46.

FORT DUNCAN, TEX., *October* 9, 1855.

SIR: The mail leaves to-morrow morning for San Antonio. I have but little to report since my communication of yesterday, sent by express. All is now quiet. General Langberg, commander in chief of the Mexican forces in Coahuila, arrived at Piedras Negras yesterday, and now has the direction of affairs on the other side of the river. He has a force of one thousand men, six hundred regular troops and four hundred volunteers. I do not anticipate any further difficulties unless the Texan volunteers should return with large re-enforcements; it is evident that, should they do so, they will be resisted by the entire force of Mexico in Coahuila.

The Mexican account of the conflict near San Fernando reports four killed and four wounded on their side, their force consisting of two hundred citizens and eight Lipan Indians, who were not recognized as a part of their force, but who followed as stragglers. The Texans, they report, left five dead on the ground, besides a number of horses, and about thirty pistols, guns, or rifles, which were picked up by the Indians. The volunteers left this vicinity yesterday, and are gone, I am told, to Leon.

Very respectfully, your obedient servant,

S. BURBANK,
Captain First Infantry, Commanding.

ASSISTANT ADJUTANT-GENERAL,
Department of Texas, U. S. A., San Antonio.

No. 47.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, October 9, 1855.

SIR: Your communication of the 4th instant, reporting the invasion of the territory of Mexico by an armed body of men from this side of the Rio Grande, has been brought to the notice of the general commanding the department. He directs that you inform the leader of the party that your duty will require you to use every means within your control to prevent any accession to his party from this side of the river, and that you can lend him no succor if his further movements should place him in a situation to desire it.

The general directs me to communicate for your information a copy of the instructions of the President of the United States requiring him to prevent the carrying on of such expeditions or enterprises, and authorizing him to use the troops under his command for that purpose; and it is his order that the force under your command shall be employed to the fullest extent that may be necessary to fulfill the instructions of the President. If your immediate command should be insufficient for that object, you are authorized to call for additional force from the commanding officer of Fort McIntosh, who will have orders to dispatch three companies of infantry upon your requisition. All persons who may be arrested in attempting such violations of our neutrality laws will be sent to Brownsville, to be brought before the United States commissioner.

Very respectfully, your obedient servant,

D. C. BUELL,
Assistant Adjutant-General.

Capt. SIDNEY BURBANK,
First Infantry, Commanding Fort Duncan, Tex.

No. 48.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, October 10, 1855.

COLONEL: At the time Indian depredations were reported near Fredericksburg, the governor of the State organized a company of volunteers under Captain Callahan, and stationed them there. Lately about twenty men were left of this company at their rest, and Captain Callahan took the rest to pursue, as it was said, Indians who had stolen horses and killed persons on the Cebolo and Medina. He was joined by others and marched toward the Rio Grande. A report was current that a party was organizing to go into Mexico and take negroes that had run away from Texas and horses that had been stolen, and I presume that the party of Captain Callahan was the one alluded to. If so, their design was covered by the pursuit of a trail of Lipans escaping with their booty. This party crossed below Eagle Pass, without the knowledge of the commanding officer at Fort Duncan, on the night of the 1st of October. Captain Callahan says he crossed upon the invitation and by the assistance of the Mexican alcade, and upon assurances of their aid in pursuing the Indians. He and his party were led into an ambuscade of Indians and Mexicans on the 3d, as they advanced toward San Fernando, the residence of the Seminole Indians; were repulsed and driven back to Piedras Negras, the small village opposite Fort Duncan. I cannot ascertain that they killed any Indians, but several of the Mexicans were killed. They could not cross, on account of the high water in the river; and finding themselves not approached by the Indians, they have remained there, and Captain Callahan has called upon his fellow-citizens for aid, and endeavors are made to raise men to re-enforce him. I have sent orders to Captain Burbank to arrest every one attempting to cross over with any hostile design, and have ordered three companies from Fort McIntosh to strengthen him. But the result of these movements across the river will be to excite the hostility of all the Seminoles and their associates, and we may expect to hear of Indian depredations during the whole winter. * * * In the mean time, every means in my power will be employed to prevent the breach of the neutrality laws and the incursions of the Indians. I inclose the report of Captain Burbank and copies of my previous and subsequent instructions. I neglected to mention, as the ground of my belief that Callahan's expedition was originally intended as an inroad into Mexico in search of negroes, that his crossing took place on the night of the 1st or morning of the 2d, and the ambuscade on the 3d; yet, on my arrival here on the 1st, an officer read me a private note from a friend at Laredo, informing him that a party of Texan volunteers had crossed the river above, intending to attack the Indians; that they had been led into an ambuscade of the Seminoles, and many of them killed, and the remainder had fled back to recross the Rio Grande. Now, this news was at Laredo a week and more before the affair happened, and shows that the design existed beforehand with the volunteers, and was disclosed to the Mexicans, who prepared and executed the ambuscade accordingly.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Col. S. COOPER,
Adjutant-General.

Respectfully submitted to the Secretary of War.

S. COOPER,
Adjutant General.

ADJUTANT-GENERAL'S OFFICE, *October* 25, 1855.

No. 49.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, October 11, 1855.

SIR: Your communication of the 8th instant, reporting the further proceedings of the unlawful expedition into Mexico under Captain Callahan, has been submitted to the general commanding the department, and he has instructed me to reply that he entirely approves of your action in the matter. He directs me to repeat to you the injunction of preventing a repetition or renewal of the recent invasion. If the force which you have already been authorized to call for should be insufficient for the purpose, additional troops will be sent to you. It is suggested to you that the communication between you and the parties to these expeditions should, as far as possible, be confined to written correspondence, and at least should be made matter of careful record. One of the immediate effects of the expedition in question will doubtless be increased activity in the depredations of Indians from the Mexican side of the river, and the general desires, therefore, that your command shall be particularly vigilant with reference to them. I am instructed to say that you are authorized to issue provisions sparingly to those persons from the Mexican side who have come over for protection from the party under Callahan and are suffering for food.

Very respectfully, your obedient servant,

D. C. BUELL,
Assistant Adjutant-General.

Capt. SIDNEY BURBANK,
First Infantry, Commanding Fort Duncan, Tex.

No. 50.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, October 11, 1855.

SIR: I have no doubt your excellency is informed already of the inroad made into Mexico by a party under Captain Callahan. They crossed the Rio Grande three miles below Fort Duncan on the night of the 1st or 2d instant, were led into an ambuscade of Indians and Mexicans at La Meta, repulsed and driven back on Piedras Negras, the Mexican village opposite Eagle Pass. Under the belief that they were about recrossing into Texas and abandoning their expedition, the officer in command at Fort Duncan took measures to prevent their being molested in the passage of the river, which was swollen since they crossed, but the Texans, taking advantage of this interference, prepared to hold possession and await re-enforcements. Since then, the commanding officer at Fort Duncan has refused to countenance their acts. Captain Callahan, finding his men were leaving him and seeing the approach of a body of Mexicans, set fire to the town of Piedras Negras, and, as soon as it could be done, crossed to this side, where his party is encamped. I had sent orders to the troops at the different posts to prevent any such unlawful inroads or other breaches of the act of 1818 (the neutrality act) upon first hearing of the crossing of Captain Callahan. I do not think the hot pursuit of a party of Indians with their plunder, although leading over the boundary, such a breach of that act, but this expedition, from facts which have come to my knowledge, is not of that character. I am advised that the burning of the town and the designs on the Seminole settlement have exasperated to the highest degree both that band of Indians and the Mexicans. Many of the latter, in utter destitution, are seeking food on this side of the river to save themselves from starving. Under these circumstances I have no doubt plans of revenge will be formed and executed on the peaceable inhabitants of our frontier, while those who are the cause of these miseries will escape, and we may look for an inroad from the Seminoles to murder and scalp, not merely to steal. It is impossible to undo what is done, but under the act of 1818 the President of the United States has delegated to me the special authority therein provided for, to employ the military force under my command to prevent the infraction of that law. I hope your excellency will exert the influence and authority you possess to render any such exertion of military force on my part unnecessary. This can only be done by putting a stop to the unlawful enterprises in contemplation, for if they are persisted in, orders I have lately received will render my action indispensable.

With the highest respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

I have the honor to inclose a copy of the delegation of authority to me and an extract from an order of the War Department.

PERSIFOR F. SMITH,
Brevet Major-General.

His Excellency E. M. PEASE,
Governor of the State of Texas, Austin, Tex.

No. 51.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, October 12, 1855.

COLONEL: I have the honor to inclose a copy of a further report of Captain Burbank f the events succeeding those detailed in my former communication. You will observe he wanton outrages inflicted on the poor inhabitants of Piedras Negras in the burning f their houses and gardens. I wish I could say that conduct so offensive to law and umanity met with any reprobation here; the very few I have heard condemn it avow heir fear to express their opinions publicly. The party under Callahan have fallen ack from the Rio Grande and have given out their intention to disperse and return o their homes. But although that is their probable course, no confidence can be placed n their declarations, and they will still be watched. A criminal prosecution of the ffenders would be futile anywhere in Texas, and nothing remains but to endeavor to revent a repetition of such acts. But, on the other hand, the Indians will be led to etaliate, and the people of the Mexican side, irritated by these outrages, will aid and encourage them, and such acts of retaliation will afford a pretext for new outrages, if the ll success of the last expedition does not prevent them. I inclose also a copy of a letter addressed to the governor of the State, with the information I had from Captain Burbank, and copies of further orders in relation to the subject. It will be seen that direct the arrest of persons attempting to invade Mexico as a measure of prevention nder the law and my instructions. The arrest of those returning from the commission of the offense I leave to the civil authorities, because it would not prevent the rime or an attempt to repeat it; however, every effort will be made to arrest every ne engaged in the enterprise.

I must say, in conclusion, that, although the unfortunate inhabitants of the Mexican ide have so much to complain of, it is different with the Mexican Government; they ave encouraged in every way the incursions and robberies of the Indians, who are nder their protection. Citizens of this side have followed the Indians who stole their orses and found them in possession of Mexicans, some in high authority, who had just ought them from marauding parties; far from aiding our people, who were endeavoring peaceably to get back their property, they interfered to prevent even their purchase back; and in no instance has any encouragement been given to our citizens eeking redress.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Col. S. COOPER,
Adjutant-General.

P. S.—I inclose a subsequent report of Captain Burbank just received, October 14, 1855.

PERSIFOR F. SMITH,
Brevet Major-General, &c.

Respectfully submitted to the Secretary of War.

S. COOPER,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *October* 27, 1855.

Read. The measures adopted by General Smith and the conduct of Captain Burbank in the events within related are entirely satisfactory. Copies of the papers bearing on international relations will be prepared for transmission to the Secretary of State.

JEFF'N DAVIS,
Secretary of War.

WAR DEPARTMENT, *November* 3, 1855.

(See letter to Secretary of State, November 9, 1855.)

No. 52.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, October 14, 1855.

COLONEL: On my arrival here on the 1st instant I found great consternation pervading the community on account of the incursions of some Lipan Indians to the immediate neighborhood. Between twenty and thirty of these had crossed the Rio Grande, in small parties, generally of two or three, and taking the hills at the head of the Medina and Frio Rivers, had secretly descended along the valleys of the Cibolo and Medina, and uniting in parties of six or eight, had carried off over two hundred horses from farms on the Cibolo and on the Medina, and on the San Antonio below the junc-

tion of the Medina, down as far as the neighborhood of Goliad. On the Cibolo, near the stage-road to Indianola, they killed a boy, the son of Mr. McGhee, and a small black girl, and farther up the country they killed a woman and attempted several other murders. They were pursued by parties of citizens, generally without success. One Indian of a small party, surprised by Mr. Wallace and six or eight men, was killed. Some horses were retaken, but not many. The governor of the State, during an alarm on the Colorado, had called out a company of volunteers, under Captain Callahan, which was stationed near that river. A part of this company, with some re-enforcements from other quarters, on the alarm in this neighborhood, started, professedly, to pursue the trails of the marauders even into Mexico, where they resided, and recover the stolen animals. But it is probable, from what has since happened, that their original intention was to cross into Mexico and go to the Indian camp, there attack it, take their horses and those in their possession, and retaliate the outrages inflicted here. They arrived on the Rio Grande about the 29th or 30th of September, and about thirty miles above Eagle Pass. The river was high, and for that reason or some other they descended to a ford three miles below Fort Duncan and crossed it secretly on the night of the 1st or 2d instant, unknown to Captain Burbank, commanding that post. They then had about one hundred and ten men. On the 3d they fell into an ambuscade and were driven back to the river at Piedras Negras, a Mexican village directly opposite Fort Duncan, with the intention of crossing, but the high water deterred them. Captain Burbank, to prevent further evil from their remaining in the Mexican territory, took a position with some of his artillery to prevent their crossing from being interfered with, as they seemed afraid of being attacked by a very large force. Taking undue advantage of this, they determined to remain, and sent persons here and to the neighboring towns to raise men and bring them assistance. Captain Callahan reported that on the 3d he was attacked by seven hundred or eight hundred Indians, aided by a large force of Mexicans; that he killed eighty Indians and many Mexicans. He left his own dead on the ground, and lost six men killed and wounded. The Mexicans say that their force consisted of two hundred rancheros; and that eight Lipan Indians were present accidentally and took part in the fight; that four Mexicans were killed and four wounded, but no Indians were either killed or wounded. They state Captain Callahan's loss in killed correctly, and say they took and found abandoned several horses, and also thirty pistols and rifles thrown away by the Texans in or after the action. Captain Callahan, finding his men leaving him, sent to Captain Burbank to assist him in crossing. Captain Burbank declined, telling him that he had taken on himself the responsibility of holding the place and must abide by it. Finally, Captain Callahan's party set fire to the Mexican village and burned it up most wantonly, for it was occupied by a poor class of people, generally engaged in the cultivation of small plats of ground for the supply of our garrison and the neighboring town with vegetables. After several more fruitless applications to Captain Burbank for assistance, the Texans crossed to this side and have returned to San Antonio and the neighboring towns, where they are raising men to return and try their fortune again. They represent the whole affair as a brilliant and successful exploit, and as such, no doubt, the newspapers throughout the country will represent it. They are upheld by, with very few exceptions, the whole population; and as the Indians who have committed the depredations here are undoubtedly upheld and encouraged by the Mexican authorities, it is hard to convince the Texans that retaliation on the innocent is not the way to correct the evil. The constant incursions of small parties of Indians justify the formation and movement of armed parties of citizens, and their approach toward the frontier cannot be questioned. It is only when they have crossed that their original design is made manifest. The difficulty of opposing Indian depredations, and preventing at the same time breaches of the neutrality laws, may be well imagined. As this subject involves our political relations with Mexico, I have reported the facts direct to the War Department. If copies of Captain Burbank's reports and my orders on the subject can be prepared before the mail closes I will inclose them; otherwise they will go by the next mail.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Lieut. Col. L. THOMAS,
Assistant Adjutant-General, Headquarters of the Army.

HEADQUARTERS OF THE ARMY,
New York, October 29, 1855.

Respectfully forwarded to the Adjutant-General.

L. THOMAS,
Assistant Adjutant-General.

Respectfully submitted to the Secretary of War.

S. COOPER,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *October* 31, 1855.

No. 53.

FORT DUNCAN, TEX., *October* 16, 1855.

SIR: I have the honor to acknowledge the receipt of your letter, dated October 11, last night. I have nothing of importance to report. The excitement of last week has subsided, and the good feeling which existed between the people on the opposite sides of the river, interrupted for a time by the Texan volunteers, is fast being restored. Most, if not all, of the Mexicans who crossed to this side of the river when their town was occupied by the Texans have returned. I do not apprehend any further difficulties. I therefore think the force I now have here sufficient, and I have not made the requisition on the commanding officer at Fort McIntosh for the three companies of infantry I was authorized to do in the letter from department headquarters of October 9. According to the best information I have, the Texans have mostly returned to their homes. I think it highly improbable that they will return again, knowing, as they now do, that they will be resisted by the Mexican authorities with their entire force. The Indians brought to the river on the other side were again sent into the interior as soon as it was known the Texans had withdrawn from the frontier. These were Seminoles and Kickapoos. I will try and watch the movements of the Lipans, the Indians who have committed so many depredations on the citizens of Texas.

Very respectfully, your obedient servant,

S. BURBANK,
Captain First Infantry, Commanding.

ASSISTANT ADJUTANT-GENERAL,
Department of Texas, San Antonio.

No. 54.

EXECUTIVE OFFICE, AUSTIN, TEX.,
October 17, 1855.

SIR: I have just seen an extract of a letter from Colonel Hardee, an officer of Colonel Johnston's regiment, dated Jefferson Barracks, September 29, 1855, in which he says: "Instructions have been given that the Second Regiment of Cavalry will go to Texas, but up to this time not a wagon, to my knowledge, has been provided for our transportation. As the Sioux war seems to have begun, I would not be supprised if we were ordered to join General Harney. I consider it entirely doubtful if we get to Texas this fall or winter. Colonels Johnston and Lee are both absent, and I am in command of the regiment." It seems, therefore, that there is much doubt whether the regiment of Colonel Johnston will be in Texas this fall, and in the present exposed situation of our frontier, liable as it is to be attacked at any moment by the Lipans and Seminoles from the other side of the Rio Grande, prudence seems to require that an additional mounted force should at once be called into the field. Such is the opinion of the citizens residing on our western frontier, and I think that opinion well founded. I make these suggestions to you because I think such a force is now needed in the field, and because I believe if you were to call on me for such a force, say three companies from the militia of this State, it would supersede the unauthorized movement of armed men that seems to be now making in the western part of this State, and bring the whole matter growing out of the late expedition of Captain Callahan entirely under your control. Your authority to call for such a force is undoubted, for they are needed to repel the actual invasions of the Indians, which are daily occurring. Will you favor me with your views on this subject as early as convenient?

Very respectfully, your obedient servant,

E. M. PEASE.

Bvt. Maj. Gen. PERSIFOR F. SMITH,
Commanding Department.

No. 55.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, October 17, 1855.

COLONEL: There is a great deal of excitement among the citizens of this part of Texas, resulting from the late events on the Rio Grande, and they are raising a thousand men to cross the river, ostensibly to chastise the Indians. I have seen several parties ride into town yesterday and to-day, well armed and mounted, and of a better class of citizens than usually join in such expeditions.

It has struck me as extraordinary that, while complaining that they are left without protection from Indian incursions, they can yet afford to send away three times the number of the regular mounted force in the whole State from the very portion of the State where assistance is said to be so much needed. I shall do all in my power to prevent any unlawful expedition, but, as the country is really infested with small parties of Indians, it is easy for any party of armed citizens who approach the Rio Grande to say they are following these marauders and protecting the frontier. These illegal expeditions require the troops to be kept near the Rio Grande, while the protection of the farmers demands that they should be brought into the interior, and it will be difficult to execute both services with numbers barely sufficient for either. If I can delay the action of those parties a few weeks, no doubt many of the more prudent citizens will think better of the matter and abandon the expedition.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Lieut. Col. L. THOMAS,
Assistant Adjutant-General, Headquarters of the Army.

No. 56.

AUSTIN, TEX., *October* 20, 1855.

GENERAL: On my arrival here I am placed in possession of the official reports of Special Agents Ross and Baylor, who are in charge of the Indian reservations near Fort Belknap, copies of which I have thought proper to inclose you for your information. You will perceive by reference to these reports that we may expect some difficulty with the Yampasecos, and, in fact, all of the northern tribes or bands of Comanches; that they not only threaten to attack the friendly Indians on the reservations, but to attack our settlements on our northern frontier. In order to meet any emergency that may arise, I should be pleased if you will give instructions to the commanding officer at Forts Belknap and Chadbourne as you may deem best calculated to meet the threatened danger. Under the circumstances, it is deemed by me absolutely necessary to have a small force on the Comanche reservation to protect the government employés and to overawe the Comanches now settled should they show any disposition to join their brethren farther north in attacks on our settlement.

You will perceive that Special Agent Baylor has already requested Major Paul to furnish him with a guard.

Commending this subject to your early consideration, I am, very respectfully, your obedient servant,

ROB'T S. NEIGHBOURS,
Supervising Agent Texas Indians.

Bvt. Maj. Gen. P. F. SMITH,
San Antonio, Tex.

No. 57.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, October 21, 1855.

GOVERNOR: I had the honor of receiving your letter of the 17th yesterday. I have not the slightest apprehension that the destination of the Second Cavalry Regiment is changed or that its march will be delayed. On the contrary, my assurance is stronger every day that it will be here as soon as a due regard to the condition of the horses will permit; and I am sure that, upon considering the grounds of my certainty, which I will briefly state, you will be of the same opinion.

In the first place, Colonel Hardee, in writing a private letter to a friend here, has stated only impressions made on his own mind; he does not even hint that any information, even unofficial, is the foundation of his opinion. On the day he wrote—the 29th of September—he could not have been in possession of the formal order to march. Of course he had no authority to require or prepare the transportation for the regiment. It is possible that this final order was delayed until the situation and necessities of General Harney were determined. Accordingly, after the news of his success over the Sioux at Ash Hollow, an order from the War Department of the 25th of September, a copy of which was sent to me, directs that Col. Albert S. Johnston should be relieved from serving on a court-martial to which he had been ordered, and that he should at once take command of his regiment, and on the 27th, two days afterward, the final order for march is issued from the Headquarters of the Army.

This order could not have reached Colonel Hardee, for if it had been mailed on the day of its date it would not have been in Saint Louis when the colonel wrote. On its receipt you are well aware that it became the duty of the officer in command of the regiment at once to make requisitions on the staff officers near him for the requisite transportation and supplies, and you are also aware that there could be no difficulty at Saint Louis and its neighborhood in finding plenty of either. The absence of these preparations *before* the order for march is no evidence of the impossibility of procuring them afterward; besides, I have been officially informed of the intention of the War Department to send the regiment here. I have been directed to make preparation for their reception, and to purchase forage for their horses, involving a large expenditure. I have received and recorded the formal order for their movement. If there were any intention of changing their destination, the first act of the department would be to inform me of it, that I might suspend the purchases that became unnecessary and meet the new position of affairs. Last night I received different orders from Washington up to the 4th instant, a week later than the date of the order of march. No change is hinted at, and I act under the most perfect confidence that up to the 4th of October the disposition of the regiment was unchanged, and that it is now on its march to Texas, and will be on the northern frontier before any other troops could be raised, equipped, and sent there. A company of the rifles arrived four days since and is on the Medina; another is on its march, and a third, probably, has started from Laredo. I could still draw up from the Rio Grande other companies, now that I have their horses and equipments, if the preparations for an unlawful invasion of Mexico did not forbid me to strip the Rio Grande of its entire mounted force, and your excellency will see the false position in which I would be placed were I to call rangers into service, because the regular troops, whose place these are to supply, are kept where they are, on the Rio Grande, by the threats of the others to break the laws. I think I can answer for the protection of the frontier with the dispositions I will make by calling some infantry and a mounted artillery company to replace the mounted rifles I will bring up here; and my confidence is in no ways shaken inthe expected re-enforcement by the doubts expressed in Colonel Hardee's letter before he had authentic intelligence of the movement.

With the highest respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

His Excellency E. M. PEASE,
Governor of the State of Texas.

No. 58.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, October 21, 1855.

COLONEL: I have the honor to transmit a report from Captain Burbank at Fort Duncan, a letter from the governor of the State, who desires some volunteers to be called into service, and my reply, and a report from Brevet Major Paul, commanding at Fort Belknap. Since my last report some of those engaged in raising the expedition for the Rio Grande have abandoned it, but others still persist and are very active in their efforts to raise the necessary number of men by the 15th of November, the day fixed upon for their rendezvous. Many of the best citizens of this part of the country, which the late Indian incursions have stripped of its horses, under their first impulse, joined in this movement as the only means to secure themselves, for the troops on the outer frontier were too distant to afford them instant succor, it being one hundred and sixty miles to the nearest post of consequence, Fort McIntosh. To tranquillize all this population, so justly alarmed, and thus to detach the better class of citizens from the unlawful enterprise projected, I will gradually bring the greater part of the rifle regiment into the country embraced between a line through the heads of the Cebolo, Medina, Hondo, and Frio, and the outlet of those rivers, down as far as Goliad and the mission of Refugio, and keep them actively in motion, so that all the inhabitants may see a portion of them every few days and feel that they have efficient protection close at hand. I will, unless otherwise ordered, bring the headquarters of the regiment somewhere near the center of this district, and keep up this disposition until confidence is entirely restored. One company, C, is already on the Medina, and companies A and H will shortly be in this neighborhood. I have ordered three companies of infantry from Ringgold Barracks to strengthen the line between Las Moras and the old Presidio crossing, and have directed Captain Phelps's light battery to take a position where they can meet any emergency likely to occur shortly. Four hundred very good horses have been bought for the rifles in Texas, and will replace the losses met with in severe service and those which are found too heavy for light cavalry service. I propose, as a temporary measure, to take about eight horses from each company of rifles, of those too heavy for their use, and give about twenty-four to each of the com-

panies of artillery at Forts Duncan, McIntosh, and Ringgold Barracks. They can, with these, harness two pieces and two caissons at each post, and thus instruct the men in that part of their service, and at the same time furnish a mounted scout of twenty men in case of necessity. These, in addition to two or three companies of rifles, to be kept on the Rio Grande, can secure that line until, tranquillity being restored, a new and permanent disposition can be made. This new state of affairs will modify former plans. The companies of rifles that come here may more conveniently receive their horses here, and the recruits sent to the rifles can come to Indianola. When they are ordered out I would be glad to have timely notice of it, that I may send a company or two to meet them, for the road from Indianola here is crowded with grog-shops, and raw men with few officers can hardly be kept in order. The road from Corpus Christi to Laredo is not subject to that objection, but the companies will not be at hand to receive them. I have been told by several persons, committees, &c., that if I will only call out a few companies of rangers it will at once employ the most unquiet and tranquillize the alarmed, and thus break up the contemplated enterprise. I refuse absolutely. I will exert every means I have to avoid any serious difficulty, but I will not buy the promised good conduct of such men as must necessarily enter into many of their companies at any price. The good sense and manliness of the better portion will, I hope, induce them to abandon an improper fellowship, and good order will be once more restored.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Col. S. COOPER,
Adjutant-General of the Army.

No. 59.

HEADQUARTERS FORT BELKNAP, TEXAS,
October 21, 1855.

SIR: Since writing my letter of the 7th instant, I have the honor to report that a general alarm has existed among the white settlers of this neighborhood; that they have generally abandoned their farms, and fled with their families to this post for protection. I am not prepared to say that their fears are groundless, but I believe the reports in reference to hostile demonstrations by Northern Comanches as much exaggerated.

I have received several communications from Mr. J. R. Baylor, agent for the Southern Comanches, representing them in a very unquiet state, and asking for troops to be stationed among them. I have accordingly sent Captain King, First Infantry, with his company. Captain King reported that the Comanches were making preparations to leave the reserve, and this step was only prevented by his timely arrival among them. Mr. Baylor wrote again that should the troops be removed from the reservation, there would not be a single Comanche on it twenty-four hours after the departure of the troops. Under these circumstances, until otherwise directed, I shall leave a company or a detachment of thirty or forty men on the Comanche reserve. In order to carry out the present Indian policy, I think it will be absolutely necessary to establish a permanent post on the lower or Comanche reservation of not less than two companies, one of which should be mounted.

I am, sir, very respectfully, your obedient servant,

G. R. PAUL,
Captain Seventh Infantry, Brevet Major, U. S. A., Commanding Post.

ASSISTANT ADJUTANT-GENERAL,
Headquarters Department of Texas, San Antonio, Tex.

No. 60.

WAR DEPARTMENT, *Washington, November* 9, 1855.

SIR: I have the honor to transmit herewith for your information copies of four communications, with inclosures, from Brevet Major-General P. F. Smith, commanding Department of Texas, dated October 10, 12, 17, and 21, on the subject of the recent and the contemplated invasion of Mexico by armed men under Captain Callahan.

Very respectfully, your obedient servant,

JEFF. DAVIS,
Secretary of War.

Hon. W. L. MARCY,
Secretary of State.

No. 60½.

Extract from remarks on roll of Capt. William Tom's company.

Muster-roll of Capt. William Tom's company of Texas Volunteers, organized at San Antonio on the 18th day of October, A. D. 1855, in accordance with an advisory letter of Col. James S. Gillet, adjutant-general of Texas, dated on the 17th instant, viz:

* * * * * * *

WILLIAM TOM,
Captain Commanding Company T, Mounted Volunteers.

I certify that I attended the assembling and organizing the company commanded by Capt. William Tom, and have obtained funds to furnish them with subsistence and forage, half rations of corn, from the committee of safety at San Antonio.

H. E. McCULLOCH,
Superintending Organization.

I certify on honor that I mustered the above company out of service on the 16th day of November, A. D. 1855, under the instructions of Capt. H. E. McCulloch; that the remarks set opposite the name of each man are accurate and just, and that they are hereby honorably discharged from said service.

WILLIAM TOM,
Captain Commanding Company T, Mounted Volunteers.

I hereby certify on honor that the above account exhibits a full and fair statement of all the moneys received by me from the vigilance committee at San Antonio, as well as the manner in which the same was disbursed for their use and benefit.

EZRA KEYSER,
Orderly Sergeant Capt. William Tom's Company T, Mounted Volunteers.

No. 61.

[Extract.]

Report of Capt. William G. Tobin's company of Mounted Rangers, commencing on the 12th day of October, A. D. 1855, and ending the 15th day of November, A. D. 1855, raised and organized in San Antonio, Texas; disbanded waiting for further orders.

List of names of the company.

* * * * * * *

I certify that this is a true copy of my company.

WM. G. TOBIN.

[Extract.]

Muster-roll of Capt. William G. Tobin's company of Mounted Texas Rangers, called into the service of the State of Texas, from the 12th day of October, A. D. 1855, for the term of one month unless sooner discharged. This is intended as muster in and out roll, there being no mustering officer to muster out this company.

* * * * * * * *

I certify on honor that this muster-roll exhibits the true state of Capt. William G. Tobin's company of Mounted Texas Rangers for the period herein mentioned; that each man answered to his own proper name in person, and that the remarks set opposite the name of each officer and soldier are accurate and just; and I do further certify that the men above mentioned were actively employed in military service of the said State from the 12th day of October, 1855, to the 15th day of November, 1855. To all of which I do swear to be true to the best of my knowledge and belief.

W. G. TOBIN,
Captain Commanding Company Texas Rangers.

Sworn to and subscribed before me March 21, 1861.

CLEM R. JOHNS,
Comptroller.

No. 61½.

[Extract.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, December 6, 1855.

GENERAL:

* * * * * * *

This you must allow is the state of the present case. I do not say what was the character of Captain Callahan's expedition; that the government will decide with him.

panies of artillery at Forts Duncan, McIntosh, and Ringgold Barracks. They can, with these, harness two pieces and two caissons at each post, and thus instruct the men in that part of their service, and at the same time furnish a mounted scout of twenty men in case of necessity. These, in addition to two or three companies of rifles, to be kept on the Rio Grande, can secure that line until, tranquillity being restored, a new and permanent disposition can be made. This new state of affairs will modify former plans. The companies of rifles that come here may more conveniently receive their horses here, and the recruits sent to the rifles can come to Indianola. When they are ordered out I would be glad to have timely notice of it, that I may send a company or two to meet them, for the road from Indianola here is crowded with grog-shops, and raw men with few officers can hardly be kept in order. The road from Corpus Christi to Laredo is not subject to that objection, but the companies will not be at hand to receive them. I have been told by several persons, committees, &c., that if I will only call out a few companies of rangers it will at once employ the most unquiet and tranquillize the alarmed, and thus break up the contemplated enterprise. I refuse absolutely. I will exert every means I have to avoid any serious difficulty, but I will not buy the promised good conduct of such men as must necessarily enter into many of their companies at any price. The good sense and manliness of the better portion will, I hope, induce them to abandon an improper fellowship, and good order will be once more restored.

With high respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Col. S. COOPER,
Adjutant-General of the Army.

No. 59.

HEADQUARTERS FORT BELKNAP, TEXAS,
October 21, 1855.

SIR: Since writing my letter of the 7th instant, I have the honor to report that a general alarm has existed among the white settlers of this neighborhood; that they have generally abandoned their farms, and fled with their families to this post for protection. I am not prepared to say that their fears are groundless, but I believe the reports in reference to hostile demonstrations by Northern Comanches as much exaggerated.

I have received several communications from Mr. J. R. Baylor, agent for the Southern Comanches, representing them in a very unquiet state, and asking for troops to be stationed among them. I have accordingly sent Captain King, First Infantry, with his company. Captain King reported that the Comanches were making preparations to leave the reserve, and this step was only prevented by his timely arrival among them. Mr. Baylor wrote again that should the troops be removed from the reservation, there would not be a single Comanche on it twenty-four hours after the departure of the troops. Under these circumstances, until otherwise directed, I shall leave a company or a detachment of thirty or forty men on the Comanche reserve. In order to carry out the present Indian policy, I think it will be absolutely necessary to establish a permanent post on the lower or Comanche reservation of not less than two companies, one of which should be mounted.

I am, sir, very respectfully, your obedient servant,

G. R. PAUL,
Captain Seventh Infantry, Brevet Major, U. S. A., Commanding Post.

ASSISTANT ADJUTANT-GENERAL,
Headquarters Department of Texas, San Antonio, Tex.

No. 60.

WAR DEPARTMENT, *Washington, November* 9, 1855.

SIR: I have the honor to transmit herewith for your information copies of four communications, with inclosures, from Brevet Major-General P. F. Smith, commanding Department of Texas, dated October 10, 12, 17, and 21, on the subject of the recent and the contemplated invasion of Mexico by armed men under Captain Callahan.

Very respectfully, your obedient servant,

JEFF. DAVIS,
Secretary of War.

Hon. W. L. MARCY,
Secretary of State.

No. 60½.

Extract from remarks on roll of Capt. William Tom's company.

Muster-roll of Capt. William Tom's company of Texas Volunteers, organized at San Antonio on the 18th day of October, A. D. 1855, in accordance with an advisory letter of Col. James S. Gillet, adjutant-general of Texas, dated on the 17th instant, viz:

* * * * * * *

WILLIAM TOM,
Captain Commanding Company T, Mounted Volunteers.

I certify that I attended the assembling and organizing the company commanded by Capt. William Tom, and have obtained funds to furnish them with subsistence and forage, half rations of corn, from the committee of safety at San Antonio.

H. E. McCULLOCH,
Superintending Organization.

I certify on honor that I mustered the above company out of service on the 16th day of November, A. D. 1855, under the instructions of Capt. H. E. McCulloch; that the remarks set opposite the name of each man are accurate and just, and that they are hereby honorably discharged from said service.

WILLIAM TOM,
Captain Commanding Company T, Mounted Volunteers.

I hereby certify on honor that the above account exhibits a full and fair statement of all the moneys received by me from the vigilance committee at San Antonio, as well as the manner in which the same was disbursed for their use and benefit.

EZRA KEYSER,
Orderly Sergeant Capt. William Tom's Company T, Mounted Volunteers.

No. 61.

[Extract.]

Report of Capt. William G. Tobin's company of Mounted Rangers, commencing on the 12th day of October, A. D. 1855, and ending the 15th day of November, A. D. 1855, raised and organized in San Antonio, Texas; disbanded waiting for further orders.

List of names of the company.

* * * * * * *

I certify that this is a true copy of my company.

WM. G. TOBIN.

[Extract.]

Muster-roll of Capt. William G. Tobin's company of Mounted Texas Rangers, called into the service of the State of Texas, from the 12th day of October, A. D. 1855, for the term of one month unless sooner discharged. This is intended as muster in and out roll, there being no mustering officer to muster out this company.

* * * * * * *

I certify on honor that this muster-roll exhibits the true state of Capt. William G. Tobin's company of Mounted Texas Rangers for the period herein mentioned; that each man answered to his own proper name in person, and that the remarks set opposite the name of each officer and soldier are accurate and just; and I do further certify that the men above mentioned were actively employed in military service of the said State from the 12th day of October, 1855, to the 15th day of November, 1855. To all of which I do swear to be true to the best of my knowledge and belief.

W. G. TOBIN,
Captain Commanding Company Texas Rangers.

Sworn to and subscribed before me March 21, 1861.

CLEM R. JOHNS,
Comptroller.

No. 61¼.

[Extract.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, December 6, 1855.

GENERAL: * * * * * * *

This you must allow is the state of the present case. I do not say what was the character of Captain Callahan's expedition; that the government will decide with him.

I only say, supposing it were of the character given it by its most violent enemies, yet the Government of the United States is in no way answerable to the Mexican authorities, since it is the conduct of these which has furnished Captain Callahan with the cloak to hide him from the vigilance of our own laws and its officers. More than a year since a tribe of Lipans, which had formerly been under the care of an Indian agent of the United States, in Texas, were persuaded by some of the authorities of Coahuila to move to that State, and when Major Neighbours, the Indian agent, endeavored to visit them and persuade them to return, he was not permitted by those authorities to communicate with them. These Indians were put under the protection of the civil and military authorities then in power in Coahuila, and they commenced at once a series of murders and robberies, on this side of the river, which has continued up to this time. About the beginning of the summer these Indians extended their depredations so far into the interior as to be out of the reach of the troops, which were near the frontier. Drove after drove of horses were stolen and taken at once across the Rio Grande, where they were protected from pursuit by the Mexican minor civil authorities. Now, I beg you to observe what I say here particularly, because it is the origin of all the late difficulties, and we have taken pains to obtain the fullest proof as to what I assert. Party after party of Lipan Indians, living under the protection of the Mexican authorities behind Laredo and near San Fernando, came into the settlements singly, and joining here in parties of from five to thirteen, stole horses from all the ranches on the Medina, San Antonio, and Cibolo Rivers, murdered several persons, and escaped, by a rapid flight across the Rio Grande, with much of their plunder. Citizens of Texas, from several different neighborhoods, followed them peaceably, found the stolen animals, recognized them, and endeavored to purchase them back—some from the Indians who stole them—but most of the horses were in the hands of minor civil officers, on the Mexican side, who refused all aid, or even permission, for the recovery of them. Finding it impossible to obtain redress for wrongs so flagrant, they determined to pursue the next band of robbers even into Mexico, which they had a right to do, seeing that the Mexican authorities not only refused redress, but aided and protected the Indians and shared their plunder. Under cover of this right, which is undoubted, other parties may have contemplated a wrong, but Mexico herself had so completely sheltered them from our pursuit that it can only be after a development of their true designs that our authorities can act, and it is then too late for prevention.

* * * * * * *

I have the honor to remain, with the highest respect, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Sr. Don EMILIO LANGBERG,
Commanding the Forces of the Mexican Republic in Coahuila.

No. 62.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, December 6, 1855.

SIR: I have the honor to inclose herewith copies of communications from Brevet Major Paul, commanding Fort Belknap, dated September 16, October 7 and 21, and from Mr. R. S. Neighbours, Indian agent, dated October 20, on the subject of Indian affairs in the northern part of the department. The reasons set forth in these several communications, taken in connection with the implied discretion conveyed in your indorsement referring to me the petition of Mr. Woodward to have two companies of mounted troops stationed at Fort Belknap, have determined me to post four companies of the Second Cavalry on the Comanche reservation. The other six companies and the headquarters are directed to encamp in the vicinity of Fort Mason, agreeably to the wish of the Secretary of War, expressed in your communication of the 20th ultimo.

Very respectfully, your obedient servant,

PERSIFOR F. SMITH,
Brevet Major-General, Commanding Department.

Colonel S. COOPER,
Adjutant-General, U. S. A., Washington, D. C.

Respectfully submitted to the Secretary of War.

S. COOPER,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *December* 24, 1855

No. 64.

EXECUTIVE DEPARTMENT, AUSTIN, TEX., *December* 18, 1855.

SIR: Reposing trust and confidence in your capacity and integrity, I appoint you paymaster, to carry into effect "An act making appropriations to pay the expenses of volunteers called into the service of the State for the protection of the frontier, and for other volunteer service," approved December 17, 1855. The volunteers alluded to in this act are the companies of Capt. J. H. Callahan, Captain Benton, and Captain Henry. Under the provisions of said act you will be required to give bond and security to the State of Texas in the sum of $22,000 for the faithful performance of your duties under this act. You will repair to the town of Marcas, in Hayes County, and make the payments authorized under said act, on the 7th and 8th days of January, 1856, and the following days, if necessary, previous to which detailed instructions will be given you. Your compensation, under the law, will be $100, which is entirely inadequate to the service, but as the service is one that will greatly benefit your neighbors and friends, I trust you will undertake it.

Yours, with respect,

E. M. PEASE.

Col. JOHN D. PITTS.

No. 65.

EXECUTIVE OFFICE, AUSTIN, TEX., *February* 4, 1856.

Gentlemen of the senate and house of representatives:

I transmit herewith the muster-rolls of three small companies of mounted volunteers, one commanded by William Tom, which was in service on the frontier from the 18th of October to the 16th of November, 1855; another, commanded by W. G. Tobin, which served on the frontier from the 12th of October to the 15th of November, 1855; the other, commanded by Levi English, whose precise term of service is not known to me. These companies were voluntarily organized and supported by the citizens of the frontier for their defense, during the past fall, while they were suffering from the constant attacks of hostile Indians, there being no mounted troops of the United States near enough to afford any protection.

Small parties of the last-named company had several encounters with and killed many of the Lipan Indians, and all of the companies were in active service at a time when the frontier settlements were nearly broken up by the incursions of the Indians, and contributed greatly to restore peace and confidence to those settlements. I think it but an act of justice that they should receive from the State a reasonable compensation for their services and expenses, and therefore submit the matter to your consideration, with the hope that you will make suitable provisions for their payment.

The circumstances under which these companies were organized and the service they rendered are well known to Messrs. Maverick and McCullough, of the senate, and the Bexar delegation in the house of representatives, to whom reference is made for information on these points.

E. M. PEASE.

No. 66.

EXECUTIVE DEPARTMENT, AUSTIN, TEX., *January* 3, 1856.

SIR: You are hereby appointed an agent of this State, under the provisions of "An act to provide for the payment of six companies of mounted volunteers that were mustered into the service of the State of Texas on the 1st day of November, 1854, under a requisition of Brevet Major-General Persifor F. Smith, and to pay the expenses incurred by said companies," approved January 14, 1856, and an act to amend the several sections of said act, approved February 1, 1856, with full power and authority to receive from the State treasurer a portion of the appropriation made by said first-named act sufficient to pay the companies commanded by yourself and Capt. J. G. Walker for three months at the same rate per month as they were afterward paid by the United States while in their service.

Upon the receipt of said money you will as early as convenient, give public notice of the time when you will meet the members of said companies at or near the places where they were respectively organized, for the purpose of paying them off, under the provision of said act. James R. Shaw, esq., the comptroller of public accounts, will inform you what amount of pay per month each member of said companies is entitled to receive; he will also advise you what character of vouchers you will be required to

take for the payments you may make under this appointment; and his instructions in regard to these matters must be strictly followed.

Any assignment from any member of said companies of his pay which does not show on its face that the assignor knew at the time of its execution that he was entitled to receive three months' pay from the State will only be recognized as conveying to the assignee the pay due the assignor for the time he was actually in the service of the State, which time of service was, for the members of your company, one month and twenty-one days, and for the members of Captain Walker's company one month.

Should any of the members of said companies fail to apply to you for their pay at the time and place you may appoint, or within a reasonable time thereafter, you will return the residue of the money, with the vouchers for the payments you have made, to the comptroller, and make a final settlement with him.

The names of the persons who composed said companies you will ascertain from the duplicate muster-rolls furnished to the captains by the officer who mustered them, or from any authentic copy of said duplicate or original roll. You will be allowed for your services, on a settlement of your accounts, under this appointment, with the comptroller, a reasonable compensation, to be paid out of the appropriation made by this act.

E. M. PEASE.

GILES S. BOGGESS, Esq.

No. 67.

EXECUTIVE OFFICE, AUSTIN, TEX., *February* 5, 1856.

SIR: You are hereby appointed, under the provisions of "An act to provide for the payment of six companies of mounted volunteers that were mustered into the service of the State of Texas on the 1st day of November, 1854, under a requisition of Brevet Major-General Persifor F. Smith, and to pay the expenses incurred by said companies," approved January 14, 1856, and an act to amend the seventh section of said act, approved February 1, 1856, as the agent of the State, to receive from the State a portion of the appropriation of money made by said act sufficient to pay the company commanded by Capt. William Fitzhugh, that was organized at the town of McKinney, in Collin County, for three months.

Upon the receipt of said money, you will proceed, as early as convenient, to pay the members of said company, at said town of McKinney, after giving a reasonable public notice of your authority to make such payments, for three months' services, at the same rate for such time as they were paid by the United States while in their service, which rate will be furnished to you by James B. Shaw, esq., comptroller. The names of the persons composing said company you will ascertain from the copy of the muster-roll that will be furnished you by Mr. Shaw. You will recognize no assignment of any member of said company which does not show on its face that the party knew that he was entitled to three months' pay as conveying a right to any more than one month and twenty-one days' pay; service all over and above that amount is a gratuity from the State, and should only be paid to the party who rendered the service, unless the said party has assigned it with a full knowledge of his right.

The comptroller will advise you fully what character of vouchers you are required to take for the payments you may make under this appointment, and his instructions must be strictly followed. As soon as convenient, after you shall have paid all the parties that may apply to you at McKinney, within the time you may fix for their payment, you will return the residue of the money, together with the vouchers for the payments you have made, to the comptroller, and make a final settlement with him of your proceedings.

You will be allowed for your services, on a settlement of your proceedings under this appointment, a reasonable compensation, to be paid out of the appropriation made by said act.

E. M. PEASE.

JAMES W. THROCKMORTON, Esq.

No. 68.

EXECUTIVE OFFICE, AUSTIN, *March* 22, 1856.

DEAR SIR: You are hereby appointed as the agent of this State to pay the company of Capt. Patrick H. Rodgers, which was enrolled at the town of Brenham, in the month of October, 1854, for three months' services.

The pay of the members of said company will be the same as that allowed by the laws and regulations of the United States to mounted volunteers, a statement of which.

together with the muster-roll and particular instructions as to the manner of payment and the vouchers necessary to be taken by you, will be furnished to you by the comptroller of public accounts, which must be strictly followed.

You will recognize no assignment from any member of said company as conveying more than his pay for one month and twenty-two days, unless it shall appear from said assignment that the assignor knew that he was entitled to receive full three months' pay and intends to convey that amount.

You will commence paying said company at the town of Washington, on the 31st day of March instant, and remain at that place a reasonable time for the members of said company to apply for their pay. You will receive from the comptroller the funds necessary to pay said company, and, after the expiration of the time you may deem reasonable for the members to apply and receive their pay, you will return what funds may remain in your hands to the comptroller and make a settlement with him of your accounts and doings under your appointment.

The amount of compensation cannot be stated at this time, but it will be fixed so soon as I can ascertain the amount of the appropriation that will remain after the payment of all of said company.

E. M. PEASE.

Col. A. M. M. UPSHUR.

No. 69.

EXECUTIVE OFFICE, AUSTIN, TEX., *March* 31, 1856.

GENTLEMEN: Your communication of the 12th instant, representing that, unless something is done immediately for the protection of the citizens residing on the Upper Blanco, Guadalupe, Curry's Creek, and Perdinales, they will be compelled to give up their homes, has just been received. I have not been unmindful of your exposed condition, and some time since requested the commanding general of this department to have mounted troops sent to your vicinity for its protection, but I have heard nothing from him in reply.

You must be well aware that no means have been placed at my disposal for frontier protection, and, without means, I can do nothing effective. I would, however, advise that your settlement organize a company of minute-men. Let a small number, say ten or fifteen, be kept scouting, whose duty it shall be to notify the company to assemble and pursue the Indians whenever it shall be ascertained that they are in the neighborhood. Such a course will enable you to rally a respectable force at a short notice, and, I think, will tend to restore confidence. Should you conclude to act on this advice, you will keep me advised of your proceedings, and I shall take pleasure in urging the legislature to make a suitable compensation for the service of those who may be employed, and to pay for all reasonable expenses that may be incurred. I do not intend to advise the organization of a force for offensive warfare at a distance from your homes, but that you shall endeavor, by this plan, to give yourselves protection against the Indians who may come into the vicinity of our settlements.

Yours, with respect,

E. M. PEASE.

Messrs. J. H. CALLAHAN, E. BEN. GEORGE, R. W. JOHNSON, OTTO WUPPERMAN, and others.

No. 70.

EXECUTIVE OFFICE, *Austin, Tex., April* 10, 1856.

DEAR SIR: You are hereby appointed as the agent of this State to pay the company of Capt. William R. Henry, which was enrolled at the town of Goliad in the month of October, 1854, for three months' services. The pay of the members of said company will be the same as that allowed by the laws and regulations of the United States to mounted volunteers, a statement of which, together with the muster-roll and particular instructions as to the manner of payment and the vouchers to be taken by you, will be furnished to you by the comptroller of public accounts, which must be strictly followed.

You will recognize no assignment from any member of said company as conveying more than his pay for one month and fourteen days, unless it shall appear from said assignment that the assignor knew that he was entitled to receive full three months' pay and intended to convey that amount.

You will commence paying said company at the town of Seguin, on the 15th day of April instant, and remain at that place a reasonable time for the members of said company to apply for their pay.

You will receive from the comptroller the funds necessary to pay said company, and, after the expiration of the time you may deem reasonable for the members to apply

and receive their pay, you will return what funds may remain in your hands to the comptroller and make a settlement with him of your acts and doings under your appointment.

The amount of compensation cannot be stated at this time, but it will be fixed so soon as I can ascertain the amount of the appropriation that will remain after the payment of all of said company.

E. M. PEASE.

Col. JOHN D. PITTS.

No. 71.

EXECUTIVE OFFICE, *Austin, Tex., May* 1, 1856.

SIR: You are hereby appointed to pay off the company of Capt. Charles E. Travis, under the provisions of "An act to provide for the payment of six companies of mounted volunteers that were mustered into the service of the State of Texas on the 1st day of November, A. D. 1854, under a requisition of Bvt. Maj. Gen. Persifor F. Smith, and to pay the expenses incurred by said company," approved January 14, 1856, and an act to amend the seventh section of said act, approved February 1, 1856.

Your compensation for services will be the same as may hereafter be allowed to the persons appointed to pay off the companies.

E. M. PEASE.

JAMES H. RAYMOND, Esq.

No. 72.

Extract from general remarks on J. M. Davenport's company roll.

1*st*.—On the 20th day of March, 1856, a party of Indians, supposed to be Comanches, came into the Lower Sabinal settlements and stole seven head of horses and mules. I took the trail with my men, which was followed up to the headwaters of the New Esses, then crossing we proceeded to the south prong of the Llano, and on arriving there late in the afternoon discovered the Indians encamped barbecuing a horse. We charged the camp, but being on an elevated position and the Indians in a low ravine, discovered our movements and made their escape through a mountain pass, being then dark, and in the morning no trail was visible.

Scout 2*d*.—On the night of the 16th day of May, a party of Comanche Indians, eight in number, came into old Fort Lincoln and stole eight head of horses. We took their trail next morning, and followed them to the headwaters of the Medina River, but, owing to a heavy rain, we lost the trail and could not proceed any further.

Scout 3*d*.—On the night of the 7th June, 1856, there was a party of Indians, supposed to be twenty-five in number, came into the Upper Sabinal settlements, known as the Carrion Valley, five of them entering the yard of Mr. Aaron Anglon and killed two dogs; being fired on by John Leaky, a private of my company, who was stopping for the night in Mr. Anglon's house, and from his exertions the Indians left the yard. I sent five men next morning to hunt for their trail, while I was collecting the balance of the men about three miles southwest from Anglon's house. The above-mentioned five men came on the Indians in camp on the Frio Mountains (this being the place where Mr. Leaky and Baremore received their wounds). On the morning of the 9th I took the trail with twenty of my men, and followed it for eight days, and finally came up with them in camp on the Leon River about thirty miles from Fort Inge (south). We charged the camp and killed seven of them, which lay on the ground, and wounded several others. We also captured four head of horses, three shields, six quivers with bows and arrows, two rifle-guns, and one government revolver. We made various other scouts too numerous to report, but all of which came off with success.

I remain, sir, your obedient servant,

JOHN M. DAVENPORT,
Captain M. M. Volunteers.

No. 73.

EXECUTIVE OFFICE, *Austin, Tex., August* 4, 1856.

Gentlemen of the senate and house of representatives:

I have the honor to inform you that, about the month of March last, communications were received from the settlements on the Upper Blanco, Guadalupe, and Comy's Creek, complaining of their exposed situation and asking protection against the Indians, who

ommitted frequent depredations about that time in those settlements and also in the ettlements farther west.

I replied to the communications that no means had been placed at my disposal for he protection of the frontier, and advised them to organize a company of minute-men or their own protection, and that I would urge the legislature to compensate them for heir services and expenses.

Acting upon this advice, a company was organized in the vicinity of Comy's Creek, muster-roll of which, together with an appraisement of their horses and arms, was orwarded to me.

Since the meeting of the legislature, I have received a communication from J. W. amson, captain of this company, informing me that he had been discharged, and iclosing a statement of the number of days served by each man.

I transmit herewith the original petition for relief, a copy of my letter in reply to it, he original muster-roll of the company, appraisement of horses and arms, together ith the communication of Captain Samson informing me of the discharge of the men nd the time they served, which papers are numbered from one to four. A similar ompany was organized on Bancharos and Sabinal Creeks in March last, of which John I. Davenport was elected captain. I transmit herewith the letter of Captain Davenort advising me of its organization, and also another letter from him of a more recent ate, giving an account of a fight with the Indians.

A letter was addressed to Captain Davenport of a similar character to that written o the citizens of the Upper Blanco.

More recently a similar company has been organized in Uvalde County, of which leading W. Black has been elected captain, and I transmit herewith his letter informng me of the organization.

I am well satisfied that these companies were actually necessary to keep the frontier ettlements from breaking up, and they have done good service in their protection.

Several members of your own body are well informed of the situation of the settlenents where the companies were organized and the necessity that existed for them. I trust the legislature will encourage such efforts on the part of our citizens to protect hemselves, and will make provisions for paying them a reasonable compensation for heir services and expenses.

E. M. PEASE.

No. 74.

EXECUTIVE OFFICE,
Austin, Tex., October 1, 1856.

SIR: Having been unable to find any person who will accept the office of paymaster for the companies of Captain William Tom, jr., Levi English, and William G. Tobin, and pay them in the manner and for the compensation provided for by "An act providing for the payment of the companies of mounted volunteers commanded by Captains William Tom, jr., Levi English, and William G. Tobin, organized for the temporary protection of the western portion of Texas," approved August 30, 1856, I have concluded to appoint you to make said payments at the treasury. You will therefore proceed and make the payments to said companies at the State treasury as the parties may apply for the same, being governed in other respects by the provisions of said act.

E. M. PEASE.

JAMES H. RAYMOND, Esq.

No. 75.

WAR DEPARTMENT,
Washington, September 16, 1857.

SIR: I received your letter yesterday, stating that a rumored expedition was preparing in the western part of Texas for the invasion of Mexican territory, and that the names of distinguished men were connected with it. I hope very sincerely, for the sake of this country, that this report may prove to be unfounded.

We are not only at peace with Mexico, but that peace is guaranteed by the most solemn undertaking and deliberate pledges which it is possible for one country to give another. It should be borne in mind, too, that these pledges are the work of the people themselves; they have pledged their word, they have plighted their faith, that peace should be preserved between the two sister republics. By many, these pledges have the sanction of an oath, for under the Constitution, which we have sworn to support, the treaties entered into by the government are made the supreme law of the land. Without provocation, therefore, to enter upon the territories of Mexico for any hostile purpose whatever is an act as indefensible and as repugnant to every sentiment of honesty, manliness, and good faith as an act of open piracy upon the high seas. Such

outrages tarnish our national honor and materially damage the high and deserved reputation of our people for courage and chivalry.

It would be very humiliating to think that any respectable number of American citizens could be instigated by a knowledge of Mexican feebleness to commit an act of outrage upon that nation which fear would restrain them from committing against our more powerful neighbors in the north. It is the part of magnanimity to spare the feeble, even in legitimate warfare, but it is good cause of eternal reproach to those whom the weakness of a friendly nation could incite to acts of rapine, plunder, and outrage.

It is your duty to prevent, by all the means within your power, the consummation of any such design, and I am instructed by the President to say that the whole force under your command must be used, if necessary, to arrest any movement whatever of the sort, and you are hereby directed to enforce obedience to the law in such cases made and provided. These provisions are deemed amply sufficient, and are hereby transcribed for your instruction and direction. (See sixth and eighth sections of the act of April 20, 1818, Statutes at Large, vol. 3, page 449, "An act in addition to an act for the punishment of certain crimes," &c.)

You will see the necessity for great vigilance and activity in preventing such movement, if, in truth, such an one is seriously thought of.

I am, sir, very respectfully, your obedient servant,

JOHN B. FLOYD,
Secretary of War.

Brevet Major-General D. E. TWIGGS,
San Antonio, Tex.

No. 76.

EXECUTIVE OFFICE, *Austin, Tex., November* 3, 1857.

GENTLEMEN: Some correspondence has taken place between this office and Brevet Major-General Twiggs, commanding this department, in regard to the inadequacy of the force he now has to give protection to our extended frontier against the depredations of the numerous bands of Indians who are scattered along our northern and western borders. I inclose herewith copies of the letters received from General Twiggs, together with the copy of the draught of a bill for raising a regiment of mounted volunteers from this State. You will perceive that General Twiggs has asked for an increase of troops, and, in case none can be sent here from other departments, he is desirous of having this volunteer regiment of our citizens for one or two years. The only alterations I would suggest in the bill are that there should be two majors, as that number is allowed to each regiment in the Regular Army; that the term of service should be changed from one to two years, and that all after the word "month," in the third line of the last section, be stricken out. Within the last few months the mail-train from San Antonio to El Paso was attacked and robbed of many of its animals, and I have now before me a communication just received from a large number of citizens residing on the waters of the San Saba and Upper Colorado Rivers, stating that the Indians have recently made several incursions into those settlements and stolen and carried off nearly three hundred horses. These aggressions show conclusively that the force now assigned to our frontier is inadequate to its protection, and that there is a pressing necessity for this regiment. You must be aware that our citizens have long been desirous of having such a regiment for our defense, and the present seems to be a favorable opportunity for securing it, since I am assured that General Twiggs will co-operate with you in urging the measure upon the attention of Congress.

Very respectfully,

E. M. PEASE.

Hon. GUY M. BRYAN and JOHN A. REAGAN.

No. 77.

EXECUTIVE OFFICE, *Austin, November* 23, 1857.

SIR: You are hereby authorized to enroll a company of twenty mounted men in the counties of Erath and Palo Pinto, to serve for three months, for the protection of the settlements in said counties against the incursions of hostile Indians. Each man will furnish himself with a good rifle or double-barreled shot-gun, and one or more pistols, with a sufficient quantity of ammunition, a good horse, saddle, and bridle. When the company shall have been enrolled you will cause an election to be held for one lieutenant

to command the company, and one sergeant and one corporal, and make out duplicate muster-rolls, one of which you will deliver to the lieutenant and the other you will forward, as early as convenient, to this office.

The officers and men, respectively, will be paid by the State while in actual service at the same rates as mounted volunteers were paid by the United States during the Mexican war. They will furnish themselves with subsistence and forage, and will be allowed therefor in accordance with the commutation fixed by the rules of the United States service. When the company shall have been organized, you will deliver to the lieutenant the accompanying letter of instructions for his government, and also a copy of this letter to yourself. Each officer and private will also be allowed pay for all ammunition necessarily used in service, on the certificate of the lieutenant.

E. M. PEASE.

THOMAS K. CARMACK, Esq.

NOTE.—Similar authority at same time issued to John H. Conner for thirty men, and Neill Robinson for twenty men, to be enrolled in other counties of this State.

No. 78.

EXECUTIVE OFFICE, *Austin, November* 23, 1857.

To the lieutenant who may be elected to command the company of mounted men authorized to be enrolled by John H. Conner in the counties of Brown and San Saba:

SIR: You will keep the whole or such portion of your company as you may consider necessary, in actual service, at such point or points upon the frontier in the vicinity of Brown and San Saba Counties, and the adjoining counties, as will best enable them to give protection to the inhabitants against the incursions of hostile Indians.

The object in raising your company being mainly for defensive operations, it is not expected that you will make any distant expeditions against Indians, unless it may become necessary to follow up hostile parties of them who have committed depredations upon our citizens. You will in no event interfere with the Indians who are settled on the government reservations, nor with any of those belonging to the reservations that you may meet with off the reservations, unless you find them actually committing depredations upon the settlers, or under such circumstances as shall leave no doubt that they have been actually committing acts of hostility against our citizens. You will exercise extreme caution, so as not to give offense to any friendly tribes, as such a course of proceeding will be certain to increase the dangers to which our settlements are now exposed. It is not intended that you shall keep the whole or any part of your company in active service any longer at one time than there shall be an actual necessity for them, but that you shall, from time to time, keep only such number actively employed as will give security and confidence to the settlements you are designed to protect, so as to make the three months of service extend over as long a period of time as possible. You will keep an accurate account of the number of days that each officer and private is actually employed, and make a return of the same to this office, under oath, to serve as a guide in paying them for their services. You will make regular reports of all the operations of the men under your command to this office as often as once in two weeks, which report you will transmit through the post-office nearest to you. Should any of your company fail to furnish himself in accordance with the requirements contained in the instructions to the enrolling officer, or fail in his duty under your command, it will be deemed a sufficient cause for withholding his pay, and you will report all such cases without delay.

E. M. PEASE.

No. 79.

A JOINT RESOLUTION requesting our Representatives and instructing our Senators in the United States Congress to call upon the United States Government to refund the money heretofore paid out by the State of Texas for the defense of her frontier since the 28th day of February, 1855.

Whereas, under the compact of annexation, the State of Texas is entitled to protection from the depredations of Indians by the Government of the United States; and whereas that protection, in many instances, has not been afforded to the exposed portions of the frontier since the 28th February, A. D. 1855, in consequence whereof the governor of this State has, from time to time, been compelled to order rangers or volunteers into the field to protect the lives and property of our citizens against predatory bands of Indians which have infested our frontier; and whereas the legisla-

ture has appropriated nearly one hundred thousand dollars out of the treasury of the State to pay the troops so called out, which sums of money have not been refunded to the State by the United States: Therefore,

Resolved, That our Senators in the United States Congress be instructed and our Representatives be requested to urge upon the Government of the United States the necessity of refunding the amount of money paid out by Texas for the defense of the frontier at the earliest day possible, and that the governor be requested to furnish each of our Senators and Representatives in the United States Congress, and the Secretary of War, with a copy of this preamble and resolution, accompanied by a full statement of all the sums of money paid by the State for the defense of the frontier as aforesaid.

WILLIAM S. TAYLOR,
Speaker of the House of Representatives.
H. R. RUNNELS,
President of the Senate.

No. 80.

EXECUTIVE OFFICE, *Austin, December* 7, 1857.

SIR: You are hereby authorized to enroll a company of twenty mounted men in the counties of Coryell and Comanche, to serve for three months, for the protection of the settlements in said counties against the incursions of hostile Indians. Each man will furnish himself with a good rifle or double-barreled shot-gun, and one or more pistols, with a sufficient quantity of ammunition, a good horse, saddle and bridle. When the company shall have been enrolled, you will cause an election to be held for one lieutenant to command the company, and one sergeant and one corporal, and make out duplicate muster-rolls, one of which you will deliver to the lieutenant, and the other you will forward as early as convenient to this office.

The officers and men, respectively, will be paid by the State, while in actual service, at the same rate as mounted volunteers were paid by the United States during the Mexican war. They will furnish themselves with subsistence and forage, and will be allowed therefor in accordance with the commutation fixed by the rules of the United States service. When the company shall have been organized, you will deliver to the lieutenant the accompanying letter of instructions for his government, and also a copy of this letter to yourself. Each officer and private will also be allowed pay for all ammunition necessarily used in service, on the certificate of the lieutenant.

E. M. PEASE.

THOMAS C. FROST.

No. 81.

THE STATE OF TEXAS.

Whereas, under the authority vested in me by "A joint resolution authorizing the governor to raise and muster into the service of the State mounted men for the protection of our frontier," approved November 17, 1857, I did, on the 23d of November, 1857, authorize Neill Robinson, esq., to enroll a company of twenty mounted men in the settlements on the waters of the Upper Blanco and Guadalupe, to serve for three months for the protection of said settlements against the incursions of hostile Indians, and to cause an election to be held by said company, when enrolled, for one lieutenant to command the same; and whereas the said Neill Robinson has reported that he caused said company to be enrolled and said election to be held on the 14th day of December, 1857, and that John Seaborn Hodges was duly elected the lieutenant to command said company:

Now, therefore, I, E. M. Pease, governor of said State, by virtue of the authority vested in me by said joint resolution, do hereby appoint and commission him, the said John Seaborn Hodges, as a lieutenant from the day of his said election, hereby vesting him with all such authority as pertains to his said office, under his letter of instructions, and such other instructions as may from time to time be given to him by the executive of this State for the time being.

In testimony whereof I have hereunto signed my name and caused to be affixed the great seal of the State, at the city of Austin, this the 19th day of December, 1857, and of the independence of Texas the twenty-second year.

[SEAL.] E. M. PEASE.

By the governor:
EDWARD CLARK,
Secretary of State.

No. 82.

THE STATE OF TEXAS.

Whereas, under the authority vested in me by "A joint resolution authorizing the governor to raise and muster into the service of the State mounted men for the protection of our frontier," approved November 17, 1857, I did, on the 23d day of November, 1857, authorize John H. Conner to enroll a company of thirty mounted men in the counties of Brown and San Saba, to serve for three months for the protection of the settlements of those counties against the incursions of hostile Indians, and to cause an election to be held by said company, when enrolled, for one lieutenant to command the same; and whereas the said John H. Conner has reported that he caused said company to be enrolled and said election to be held on the 2d day of December, 1857, and that John H. Conner was duly elected the lieutenant to command said company:

Now, therefore, I, E. M. Pease, governor of said State, by virtue of the authority vested in me by said joint resolution, do hereby appoint and commission him, the said John H. Conner, as a lieutenant from the day of his said election, hereby vesting him with all such authority as pertains to his said office under his letter of instructions, and such other instructions as may from time to time be given to him by the executive of this State for the time being.

In testimony whereof I have hereunto signed my name and caused to be affixed the great seal of the State, at the city of Austin, this the 19th day of December, A. D. 1857, and of the independence of Texas the twenty-second year.

[SEAL.] E. M. PEASE.

By the governor:
EDWARD CLARK,
Secretary of State.

No. 83.

Extract of remarks on roll of Thomas C. Frost's company.

CORA, COMANCHE COUNTY, TEXAS,
December 22, 1857.

To his excellency the governor of the State of Texas:

In pursuance to an order to me directed by your excellency, on the 7th instant, I have enrolled a company of twenty mounted men to serve for the term of three months for the protection of the settlements in the counties of Comanche and Coryell against the incursions of hostile Indians.

I proceeded, in obedience to said order, to muster into service on the 21st instant said company, who were furnished and equipped as the order directs. I caused an election to be held for the offices of lieutenant, sergeant, and corporal, have made out duplicate muster-rolls, one of which is hereby transmitted and the other delivered to the lieutenant of said company, and all the requisitions of said order have been complied with, and the company is now in service.

* * * * * * * *

T. C. FROST.

No. 84.

EXECUTIVE DEPARTMENT, *Austin, Texas.*

To all to whom these presents shall come, greeting:

Know ye that, by virtue of the power and authority in me vested by an act of the legislature of the State of Texas entitled "An act for the better protection of the frontier," approved January 27, 1858, I, H. R. Runnels, governor of said State, have this day appointed, and do by these presents appoint and commission, John S. Ford, sr., captain to command the forces of the State, as enrolled by virtue of that act and as specified in that act, and to superintend the protection of the frontier.

In testimony whereof I have hereunto set my hand and caused the seal of the State to be affixed this the 28th day of January, 1858, and of the year of the Independence of the United States the eighty-second and of Texas the twenty-second.

[SEAL.] H. R. RUNNELS.

By the governor:
T. S. ANDERSON,
Secretary of State.

No. 85.

THE STATE OF TEXAS.

To all to whom these presents shall come, greeting:

Know ye that I, H. R. Runnels, governor of said State, reposing special trust and full confidence in the honor and patriotism, fidelity, and capacity of Ed. Burleson, do hereby appoint him first lieutenant in Capt. John S. Ford's company of Texas Rangers, and quartermaster and *ex-officio* paymaster of the forces called out under the provisions of "An act for the better protection of the frontier," approved January 27, 1858; and I do hereby authorize and empower him, the said Ed. Burleson, to exercise, discharge, execute, and perform all and singular the duties of this appointment according to law, for and during the term of six months from the date hereof, unless sooner discharged by the governor.

In testimony whereof I have hereunto set my hand and caused the seal of the State to be affixed this the 8th day of February, 1858, and of the year of the Independence of the United States the eighty-second, and of Texas the twenty-second.

[SEAL.] H. R. RUNNELS.

By the governor:
T. S. ANDERSON,
Secretary of State.

Memorandum.—Similar commission issued to William A. Pitts for second lieutenancy of Ford's company.

No. 86.

EXECUTIVE OFFICE, AUSTIN, *May* 20, 1858.

SIR: You are hereby authorized to enroll a company of twenty mounted men in the counties of San Saba and Llano, to serve for sixty days, or until such time as may be hereafter advised, for the protection of the settlements against the Indians; each man will furnish himself with a good rifle, or double-barreled shot-gun, with one or more pistols, with a sufficient quantity of ammunition, a good horse, saddle, and bridle.

You will yourself hold the rank of lieutenant and take command of the company. You will cause an election to be held by the men, when enrolled, for one sergeant and one corporal, and make out duplicate muster-rolls, one of which you will forward to this office as early as convenient and keep the other yourself, particularly noting the term of actual service of the company and of each of its members, and return the same to this office whenever the services of the company shall be discontinued; the officers and men will look to the legislature for compensation, which, if allowed, will be at the same rate for their services as is now allowed to other companies engaged in the service of the State, at the option of the legislature.

They will furnish themselves with subsistence, &c., for which they will, at the option of the legislature, be entitled to the same pay as allowed to volunteers who have been called into the service; they will also be entitled to pay for all ammunition necessarily used in the service, on the certificate of the lieutenant.

In testimony whereof I have hereunto signed my name and caused the great seal of the State to be affixed. Done at the city of Austin this the 20th day of May, A. D. 1858, and in the year of the independence of Texas the twenty-third.

[SEAL.] H. R. RUNNELS.

JOHN WILLIAMS, Esq.

By the governor:
T. S. ANDERSON,
Secretary of State.

No. 87.

THE STATE OF TEXAS.

To all to whom these presents shall come, greeting:

Know ye that, reposing special trust and confidence in the honor and integrity of Neill Robinson, I do hereby appoint him paymaster, under an act of the seventh legislature of the State of Texas, approved February 13, 1858, and entitled "An act to provide for the payment of three companies of minute-men, commanded by Capt. John W. Sansom, John D. Davenport, and Reading W. Black;" and I do hereby authorize

and empower the said Neill Robinson to do and perform all the duties of this appointment, under and in obedience to the provisions of the above-entitled act.

In testimony whereof I have hereunto signed my name and caused the great seal of the State to be affixed at the city of Austin this the 25th day of May, A. D. 1858, and of the year of the independence of Texas the twenty-third.

[SEAL.] H. R. RUNNELS.

By the governor:

T. S. ANDERSON,
Secretary of State.

No. 88.

THE STATE OF TEXAS.

To all to whom these presents shall come, greeting:

Know ye that, reposing special trust and confidence in the honor and integrity of Neill Robinson, esq., of Blanco County, I, H. R. Runnels, governor of said State, by virtue of the authority vested in me by "A joint resolution authorizing the governor to raise and muster into the service of the State mounted men for the protection of the frontier," approved November 17, 1857, do hereby appoint him, the said Neill Robinson, paymaster, to pay off a company commanded by Lieut. John S. Hodges, for their services, according to the rates allowed by the United States to volunteer mounted militia when called into their service; and I do hereby authorize and empower the said Robinson to do and perform all the duties of this appointment under and in obedience to the provisions of the above-entitled joint resolution.

In testimony whereof I have hereunto signed my name and caused the great seal of the State to be affixed at the city of Austin this the 27th day of May, A. D. 1858, and of the year of the independence of Texas the twenty-third.

[SEAL.] H. R. RUNNELS.

By the governor:

T. S. ANDERSON,
Secretary of State.

No. 89.

EXECUTIVE OFFICE, AUSTIN, *July* 13, 1858.

SIR: You are hereby instructed to disband the twenty men which you were authorized to raise for frontier protection when their term of sixty days' service shall have expired, and make due report of the same to this office.

With due respect, I am, sir, very respectfully,

H. R. RUNNELS.

Lieut. JOHN WILLIAMS,
San Saba.

No. 90.

EXECUTIVE OFFICE, *Austin, October* 4, 1858.

DEAR SIR: I received by last night's mail a letter from Major Bishop, of Wise County, inclosing the petition of a large number of citizens, giving such an account of the condition of that frontier as to require, if true, action by authority of the State, the general government having failed to adopt the necessary measures for its protection. I was also much pleased to see from a paragraph in the Dallas Herald that you had taken the matter in hand, and, with a number of your fellow-citizens, had determined to follow up and punish the Indian enemy. I hope before this reaches you you will have done so and been successful.

I inclose you, by the bearer of this, a commission, which will enable you to act with authority in the matter and give direction to the necessary movements against the common enemy, which I hope you will be able, consistently with your feelings, to accept. You are aware that it is impossible for me to know the requisites of such an emergency, situated so far from the scene as I am.

There must be some one in whom I can and should confide in matters of so much moment, for, while I am willing to do everything in my power, it will not do to rely on every representation that is made. I know of no one in your section whose past

experience will so well justify me in confiding the direction of affairs at this time as yourself. I therefore authorize you to adopt such measures of defense as you may deem desirable to meet the existing emergency. You are authorized to raise a company of seventy-nine men, rank and file, for three months' service, or for such time as may be hereafter directed, but such company in no event to be kept under pay longer than their services are absolutely required. If you shall have become satisfied of the tribes committing the depredations, and believe that an expedition against them at their own homes is necessary and practicable, you are then authorized to raise such additional number of men as may be required for the purpose, and pursue and punish them, wheresoever they may belong and wherever they may go.

If satisfied of their guilt, you will pay no regard to treaty stipulations between them and the Government of the United States in any event, without the unconditional surrender of the offending parties and the return of the stolen property of our citizens. If the general government cannot or will not protect our citizens from her Indians, and the necessity devolves on them of doing so, the whole civilized world will justify and sustain them in exercising the right.

If you should find it necessary to cross Red River, you can co-operate with Major Van Dorn's command or not, as you may think best.

You will use all possible exertion to overtake and punish the offenders, find them where you will, within our territory or out of it, without regard to time or place, excepting the Indian reserves only, but regarding the circumstances of your ability to do so alone. You will perceive the necessity of the greatest celerity of movement, at the same time that due caution should be exercised on attempting an expedition against any of the bands in their own strongholds, lest the force of the blow should be foiled or weakened by giving them time for preparation or escape.

If you should determine not to act under this commission, you are then authorized to raise the company or designate some proper person to do so, to the efficient and proper officering and manning of which I shall hope you will give some attention, as without good officers and good men there is no efficient service to be expected.

All reasonable expenses for ammunition will be paid to your requisition on the comptroller. The means for the pay and subsistence of the men will have to be provided by the next legislature at its next regular session. You will please let me hear from you by the return of the messenger, and give me as exact an account of the situation of affairs and the requirements of the occasion as may be in your power.

Oblige, very respectfully,

H. R. RUNNELS.

Col. JAMES BOURLAND,
Cooke County, Texas.

AUSTIN, *October* 6, 1858.

I have been disappointed in getting the messenger off as soon as expected, and have opened the envelope to make an additional suggestion. I hope you will take no action, unless it is absolutely necessary, without communicating further with me or until you are satisfied the emergency requires it fully. I know not how far the legislature may be willing to justify the step, as its indorsement will be necessary in getting an appropriation. I have taken this course in giving you authority because I cannot be present to know the requisites and because of the absolute necessity of checking the forays of the Kickapoos and other United States Indians who are believed to have been interrupting our territory. I have written to the President I would punish them if the government did not restrain them.

H. R. RUNNELS.

Copy of memoranda of instructions forwarded to Colonel Bourland.

1st. To make a disposition of the force to cover and protect the exposed settlements Making stations upon or near the trails or passes of the Indians.

2d. Pursuing trails to the camp of the enemy, chastising him, and destroying his supplies.

3d. Reclaiming stolen property, no difference in whose hands it is found. The possession *prima facie* evidence that the possessor was the robber; where the property is not given up peaceably, to take it by force, and in the case of Indians, to take life, if necessary to accomplish the object.

4th. To break up the trade carried on between the friendly Indians north of Red River and the Comanches and their confederates. To assure the former, if they do not desist, Texas will make war upon them, and the United States will, in the end, have to co-operate and send the government troops to invade their territory.

5th. To co-operate with Major Van Dorn, if practicable.

6th. To issue rations of subsistence and forage in accordance with the laws of the United States. To cover all issues by requisitions and returns. To issue ordnance and stores in a regular manner.

these matters there must be system and compliance with law and the regulations
e United States Army.
h. To use strict economy, and purchase no article unless absolutely necessary for
good of the service, and within the line of articles used by the like army in the like
ted States service.
h. The rules and regulations of the United States Army and the Articles of War
e observed and enforced as near as can be.
ou will, as soon as practicable after the company has been organized, forward to
office a copy of the muster-rolls, with the names of the officers elected, and prop-
authenticated.

H. R. RUNNELS.

No. 91.

THE STATE OF TEXAS.

ll to *whom these presents shall come, greeting*

Know ye that, by virtue of the power vested in me by an act of the legislature of the
te of Texas, entitled "An act for the better protection of the frontier," approved
uary 27, 1858, I, H. R. Runnels, governor of said State, have this day appointed,
d do by these presents appoint and commission, James Bourland, of Cooke County,
tain to command a company of seventy-nine men to be raised and enrolled into the
vice of the State by him, under the provisions of said law, and to serve on the fron-
r for the term of three months, if not sooner discharged from said service by the
vernor.

In testimony whereof I have hereunto signed my name and caused the great seal of
State to be affixed at the city of Austin this the 4th day of October, A. D. 1858, and
the independence of Texas the twenty-third year.

[SEAL.]

H. R. RUNNELS.

By the governor:
T. S. ANDERSON,
Secretary of State.

No. 92.

EXECUTIVE OFFICE, *Austin, Tex., October* 8, 1858.

: I have the honor herewith to inclose an abstract from the comptroller's offic
e different sums appropriated by the State of Texas for protection against the
ns, and now remaining unpaid by the Government of the United States, which,
sistent with the views of the department, we shall hope will be included in the
ates of expenditure for the present year. The muster-rolls and vouchers are all
e in that office, and will be forwarded to the proper office at Washington as soon
intelligence shall reach here of an appropriation by Congress to cover the amount.
e also the honor to inclose herewith copy of a letter of recent date from this
to Colonel James Bourland, with instructions for his guidance in regard to Indian
rbances on the northern frontier of this State. These particular disturbances are
ved to be, in a great degree, attributable to certain predatory bands in treaty
h the general government, who have hitherto roamed on that part of our Territory
pleasure, and of which I have at former times taken occasion to give the govern-
t due notice, and to ask that they should be restrained to their own limits.
I have the honor to be, very respectfully, your obedient servant,

H. R. RUNNELS.

Hon. JOHN B. FLOYD,
Secretary of War.

No. 93.

EXECUTIVE DEPARTMENT, *Austin, Tex., November* 2, 1858.

CAPTAIN: You are hereby authorized and empowered to raise a company of rangers
serve for six months, unless sooner discharged. The said company will be organized
accordance with the laws of the United States, and will consist of one captain, one
st lieutenant, one second lieutenant, four sergeants, four corporals, two buglers, two
arriers and blacksmiths, and seventy-four privates. You will rendezvous at this
lace and proceed to organize by the election of officers at the earliest practicable

period, and you will report the result of said election to the proper department immediately. After the completion of the organization and the procurement of the necessary supplies, the said company will move without delay to a suitable point to protect the exposed settlements, which have recently suffered from Indians.

H. R. RUNNELS.

Captain J. S. FORD,
Austin, Tex.

No. 94.

In the name and by the authority of the State of Texas.

To all to whom these presents shall come, greeting:

Whereas, at an election held in the county of Travis on the 10th day of November. 1858, John S. Ford was elected to the office of captain of a company of Texas Rangers, called into service for frontier protection for six months, unless sooner discharged:

Know ye that I, H. R. Runnels, governor of the State of Texas, reposing special trust and confidence in your courage, patriotism, and integrity, and in your fidelity to the constitution and laws of the State of Texas, and your attachment to the United States of America, do hereby commission you, the said John S. Ford, to the office of captain of the said company of rangers, to rank as such from the 10th day of November, 1858; and the said company you are to lead, train, muster, exercise, and command according to the existing laws and military discipline of the United States, and you are strictly to observe and execute all such orders and instructions as you shall, from time to time, receive from the governor (the commander-in-chief) for the time being, or any of your superior officers, according to the rules and discipline of war, and all inferior officers, or others belonging to said company, are hereby commanded to obey you as the captain thereof.

In testimony whereof I have hereunto signed my name and caused the great seal of the State to be affixed at the city of Austin this the 10th day of November, A. D. 1858, and in the year of the Independence of the United States of America the eighty-third and of Texas the twenty-third.

[SEAL.] H. R. RUNNELS.

By the governor:
T. S. ANDERSON,
Secretary of State.

No. 95.

In the name and by the authority of the State of Texas.

To all to whom these presents shall come, greeting:

Whereas, at an election held in the county of Travis on the 10th day of November. 1858, John R. Gibbons was elected to the office of first lieutenant of a company of Texas rangers, called into service for frontier protection for six months, unless sooner discharged: Therefore,

Know ye that I, H. R. Runnels, governor of the State of Texas, reposing special trust and confidence in your courage, patriotism, integrity, and in your fidelity to the constitution and laws of the State of Texas, and your attachment to the United States of America, do hereby commission you, the said John R. Gibbons, to the office of first lieutenant of the said company of rangers, to rank as such from the 10th day of November, 1858; and the said company you are to lead, train, muster, exercise, and command according to the existing laws and military discipline of the United States, and you are strictly to observe and execute all such orders and instructions as you shall, from time to time, receive from the governor (the commander-in-chief) for the time being, or any of your superior officers, according to the rules and discipline of war; and all inferior officers, or others belonging to said company, are hereby commanded to obey you as the first lieutenant thereof.

In testimony whereof I have hereunto signed my name and caused the great seal of the State to be affixed at the city of Austin this the 10th day of November, A. D. 1858, and in the year of the Independence of the United States of America the eighty-third and of Texas the twenty-third.

[SEAL.] H. R. RUNNELS.

By the governor:
T. S. ANDERSON,
Secretary of State.

NOTE.—Commission similar to the above was issued to Aaron Burleson, as second lieutenant of said company, November 10, 1858.

No. 96.

TREASURY DEPARTMENT,
Second Auditor's Office, January 8, 1859.

SIR: I herewith respectfully return the papers connected with the claim of the State of Texas, now before the Committee on Military Affairs and the Militia of the Senate of the United States, with a list of six companies of Texas volunteers, called out in the year 1854, and paid by the United States, under the act of Congress approved March 3, 1855.

By an examination of this list you will perceive that, up to this time, the United States has paid to these six companies $68,449.70, and the records of this office cannot show that any stoppages were made in favor of the State of Texas.

The records of the Third Auditor might show an additional allowance to these companies for subsistence, &c., which would increase the allowance made by the United States.

This office is not aware of any other companies of Texas volunteers in 1855 having been paid by the United States.

Very respectfully, your obedient servant,

T. J. D. FULLER,
Second Auditor.

S. COOPER,
Colonel and Adjutant-General U. S. A.

No. 97.

Six companies of Texas volunteers, under act March 3, 1855.

Names of captains of Texas volunteers.	Company.	Period of service paid for by the United States.	Paid by United States paymaster.	Paid on certificate by Second Auditor's Office.	Total amount paid by United States.
Capt. Giles S. Boggess	A	Dec. 23, 1854, to Mar. 22, 1855	$11,604 29	.....	$11,604 29
Capt. John G. Walker	B	Dec. 1, 1854, to Mar. 31, 1855	13,559 49	$785 23	14,344 72
Capt. William R. Henry	C	Dec. 14, 1854, to Mar. 31, 1855	9,837 36	568 79	10,406 15
Capt. William Fitzhugh	D	Dec. 24, 1854, to Mar. 23, 1855	10,520 34	114 95	10,635 29
Capt. Charles R. Travis	E	Dec. 1, 1854, to Apr. 1, 1855	11,075 49	550 97	11,626 46
Capt. P. H. Rodgers	F	Dec. 22, 1854, to Mar. 21, 1855	9,266 05	566 74	9,832 79
Total			65,863 02	2,586 68	68,449 70

TREASURY DEPARTMENT, SECOND AUDITOR'S OFFICE, *January* 8, 1859.

No. 98.

WAR DEPARTMENT, *January* 11, 1859.

SIR: In reply to your communication of the 3d instant, inclosing Senate resolution No. 59, to provide for the payment of certain volunteers called out by the governor of Texas for the protection of the frontiers of that State, requesting me to furnish the committee with any information upon the subject now on file in the War Department, I herewith transmit all the information in the department upon the subject of volunteers called out by the authorities of Texas. The terms of the resolution are so comprehensive that I have felt constrained to communicate everything connected with the service of volunteers in Texas within the period stated. I may, therefore, have transmitted something which may be considered irrelevant to the subject; but, under the circumstances, I could not undertake to discriminate.

I beg leave to suggest to the committee, most respectfully, the propriety of appropriating money at once to pay off all the just claims which the State of Texas may have against the United States on account of services rendered by volunteers.

Very respectfully, your obedient servant,

JOHN B. FLOYD,
Secretary of War.

Hon. JEFFERSON DAVIS,
Chairman Committee on Military Affairs, Senate.

No. 99.

OFFICE COMMISSARY GENERAL SUBSISTENCE,
Washington, January 17, 1859.

COLONEL: In compliance with your request of the 14th instant, I have the honor to state, for the information of the Secretary of War, that subsistence was furnished by this department to the following-named companies of Texas volunteers and for the periods opposite, viz:

Captain G. S. Boggess, Company A, from December 25, 1854, to March 22, 1855.
Captain J. G. Walker, Company B, from December 9, 1854, to April 2, 1855.
Captain W. R. Henry, Company C, from November 29, 1854, to April 4, 1855.
Captain W. Fitzhugh, Company D, from December 25, 1854, to March 23, 1855.
Captain C. E. Travis, Company E, from December 9, 1854, to April 1, 1855.
Captain P. H. Rogers, Company F, from December 24, 1854, to March 21, 1855.

The records of this office do not show that any others of the Texan volunteer companies named in the statement of the comptroller of that State received subsistence from this department.

The communication of Governor Runnels and the statement of the comptroller are herewith returned.

Very respectfully, your most obedient servant,

J. P. TAYLOR,
Assistant Commissary-General Subsistence.

Col. S. COOPER,
Adjutant-General.

No. 100.

QUARTERMASTER-GENERAL'S OFFICE,
Washington City, January 29, 1859.

SIR: In reply to your request of the 14th instant, asking to be informed whether any issues or disbursements were made by the Quartermaster's Department on account of the volunteers who were called into service for the protection of the frontiers of Texas during the years 1854, 1855, 1856, and 1857, I have respectfully to inform you that all the supplies furnished through this department which were required by them were provided, and when the vouchers for the same were analyzed in this office and sent to the Treasury for settlement, a request was preferred that the value of the articles with which they had been furnished, and the amount of the disbursements that had been made on their accounts, might be charged to the appropriation for the support of Texas volunteers, approved on the 3d of March, 1855, which, from inquiry at the Treasury, I learn has been done.

Very respectfully, your obedient servant,

TH. S. JESUP,
Quartermaster-General.

Col. S. COOPER,
Adjutant-General, U. S. A., Washington, D. C.

No. 101.

ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., February 1, 1859.

SIR: I have the honor to submit herewith copies of reports which have been received from the Quartermaster-General, Commissary-General, and Chief of Ordnance, in further response to the call made by the Military Committee of the Senate for information relating to the volunteers called out by the State of Texas for the protection of her frontier in the years 1854, 1855, 1856, 1857, and 1858, and in relation to the claim of that State, now pending before Congress, for reimbursement of her expenses incurred on their account.

I am, sir, very respectfully, your obedient servant,

S. COOPER,
Adjutant-General.

Hon. JOHN B. FLOYD,
Secretary of War.

No. 102.

WAR DEPARTMENT, *February* 2, 1859.

SIR: I have the honor to transmit herewith a report from the Adjutant-General, covering copies of communications from the Quartermaster-General, Commissary-General, and Chief of Ordnance, in further response to your letter of the 3d ultimo relative to the claim of the State of Texas for reimbursement of expenses incurred for the support of volunteers called out by the governor.

Very respectfully, your obedient servant,

JOHN B. FLOYD,
Secretary of War.

Hon. JEFFERSON DAVIS,
Chairman Committee on Military Affairs, Senate.

No. 103.

EXECUTIVE OFFICE, AUSTIN, *March* 19, 1859.

SIR: The muster-rolls for your company were received here some weeks since, and a report also soon thereafter, which would have been acknowledged sooner if I had been able to arrive at a definite conclusion as to the time at which the services of the company could be dispensed with. Having received up to this time no definite information when the United States troops will commence active operations, and learning from your last report (received a few days since) that depredations have not only continued but increased in number, it is determined that the company shall be continued in service until the 23d day of April, at which time you will cause it to be disbanded, unless otherwise ordered.

Your course in calling into service an additional number of twenty or twenty-five men, to meet existing emergencies, is approved.

You will not, however, further augment the present number, unless the opportunity should be presented for attacking the Indians in body and striking a signal blow. You will acknowledge the receipt of this, and communicate any information of which you may be possessed in regard to the state of affairs on your part of the frontier.

Very respectfully,

H. R. RUNNELS.

Capt. JAMES BOURLAND.

No. 104.

April 12, 1859, Adjutant-General. February 16, 1859, General D. E. Twiggs, Department of Texas, forwards report of Brevet Major Van Dorn in regard to the treatment of Indians when found off their reservations.

The commander of the Department of Texas may enforce hostilities against all Indians found off their reserves within the limits of this department.

The rule should be applied with some discrimination, however, with reference to tribes or bands generally peaceful, individuals of which may be found beyond their limits with no evident hostile intention.

The subject of combined operations against the Comanches will be deferred for such future action as the exigencies and interests of the service may render expedient.

War Department, April 5, 1859.

JOHN B. FLOYD,
Secretary of War.

No. 105.

STATE OF TEXAS.

Whereas late information has been received at my office to the effect that a large body of men are now assembled in arms near the Brazos agency for the avowed purpose of attacking and making war upon the Indians of said agency; and whereas this movement is the result of the many difficulties and continued quarrels and disturbances between the citizens on that frontier and the Indians at the agency, which have increased for months past; and whereas all the best interests of the State require an immediate, peaceable, and permanent settlement of said disturbances:

Now, therefore, I, H. R. Runnels, governor of said State, do hereby constitute and

appoint the following named citizens, to wit, George B. Erath, John Henry Brown, Richard Coke, J. M. Steiner, and J. M. Smith, a board of peace commissioners, with power and authority to repair to said Brazos agency and represent the State of Texas in the peaceable and lawful adjustment of said difficulties.

In testimony whereof I have hereunto signed my name and caused the great seal of the State to be affixed, at the city of Austin, this the 6th day of June, A. D. 1859, and in the year of the independence of Texas the twenty-fourth.

[SEAL.] H. R. RUNNELS.

By the governor:

T. S. ANDERSON,
Secretary of State.

Instructions to Messrs. Erath, Coke, Smith, Brown, and Steiner, peace commissioners, &c.

1st. The first and main object of your mission is to prevent all further violence between the citizens of Texas and the friendly Indians on the reservation and the United States troops there stationed. You will therefore repair at the earliest possible time to the lower reservation, and if you find any armed body of citizens assembled there, or in that vicinity, you will confer with them and with the agent at the reserve and officers in command of the United States troops there stationed.

2d. With acts of violence which may have been already committed you have nothing to do, as they must be adjudicated upon by the courts of the county, but you will use all your exertions to gather facts for the purpose of ascertaining the true cause of the difficulties, and to remove by all legal means those causes in the future, and thereby secure a settlement between the parties which will insure permanent peace.

3d. You will use all peaceable and lawful means to induce the citizens to desist from further violence, and return to their homes, by giving them assurance of the determination of the federal government to remove the Indians beyond the limits of the State at an early day, as well as of the earnest desire and unceasing efforts of the State authorities to hasten that consummation, and at the same time warn them of the evil consequences of any unlawful acts which must result, not only to themselves, but to the citizens on the whole frontier.

4th. You will also use your efforts to induce the agents and superintendents to adopt conciliatory measures and prevent any hostilities on the part of the Indians, and to keep all Indians within the limits of the reservations, in order that non-intervention, except with persons coming on the reserve for peaceable purposes, may avert the possibility of suspicion on either part, and insure peace till the final removal of the tribes can be effected.

Finally, to effect the object of your mission, you are clothed with the power in the last resort to call into the military service of the State one hundred men, for the purpose of preserving the peace and preventing violations of the law as between the parties, and with all other lawful powers with which I can invest you: all of which you exercise with the utmost prudence, and report the facts and your action to this office.

H. R. RUNNELS.

P. S.—You are also authorized and empowered to associate with you, as a member or members of the board, any other person or persons, if you think it will further the ends of the mission.

No. 106.

[Extract.]

Pay-roll of two detachments of Texan mounted rangers * * * called into service by orders of the peace commissioners appointed by Governor H. R. Runnels for the protection of the frontier adjacent to the Indian reserves.

MEMORANDUM.

Captain.	Aggregate force.	Dates of service.	
		From—	To—
John Henry Brown	84	June 28, 1859	Sept. 12, 1859

No. 107.

July 14, 1859, Adjutant-General. April 19, 1859, Brevet Major-General D. E. Twiggs, San Antonio, incloses a letter from ther superintendent of Indian affairs, relative to difficulties between citizens of Texas and the Indians on the lower reservation; thinks the United States troops should not interfere in the matter.

A sufficient force will be employed to protect the Indians on the reservations. It should be large enough to overawe and prevent extreme measures.

War Department, *July* 14, 1859.

WM. R. DRINKARD,
Acting Secretary of War.

No. 108.

July 18, 1859, Adjutant-General. July 7, 1859, submits letter from Brevet Brigadier-General Twiggs, San Antonio, in regard to the removal of the Indians from the Texas reservations, and suggests that a compliance with the order will leave inadequate protection to the frontier.

The orders contemplate a temporary arrangement merely. Two companies of infantry will be supplied for the purpose.

War Department, *July* 16, 1859.

WM. R. DRINKARD,
Acting Secretary of War.

No. 109.

EXECUTIVE OFFICE, *Austin, October* 13, 1859.

Captain W. G. TOBIN, *San Antonio:*

You are hereby authorized and instructed to muster into the temporay service of the State one hundred men, for the purpose of assisting the civil authorities in the county of Cameron in quelling the lawless and bloody disturbances at the city of Brownsville.

1st. You will immediately, upon the organization of the company, and at the earliest possible day, repair to the city of Brownsville, and thore with the force under your command you will repel any invasion or quell any insurrection which may be attempted by armed bodies of lawless men in that county or vicinity within the limit of the State of Texas.

2d. You will promptly and at every hazard arrest the parties charged with the murder of peaceable citizens in Brownsville on the 28th of September last, resist all further attempts on the part of said offenders against the lives and property of the citizens, and protect said against such until the offenders are secured and the civil authorities are enabled to enforce the law.

3d. You will be prudent and refrain from disturbing Mexican or American citizens, or encroaching upon Mexican soil, the sole object of your mission being to arrest offenders and prevent further violent and lawless assaults upon the citizens in that vicinity and their property, and when this object is obtained and the people are secure in their lives, you will disband your men from the service of the State.

4th. You will, by reports, keep the department regularly and fully informed of your action and movements.

The men brought into service will be expected to arm and equip, furnish themselves, and look alone to the next legislature for such remuneration therefor, and for such pay as they deserve. You are authorized to increase your force after reaching Brownsville, if absolutely necessary, to carry out the above instructions.

H. R. RUNNELS.

No. 110.

EXECUTIVE OFFICE, *Austin, November* 17, 1859.

JOHN S. FORD:

You are hereby authorized to enlist and organize a company of mounted men, to consist of one captain, one first lieutenant, one second lieutenant, four sergeants, four corporals, two buglers, two farriers and blacksmiths, and seventy-four privates, or a number and an organization approximating the above. Your company will proceed

to Goliad and elect their commissioned officers, unless otherwise ordered by John S. Ford, the mustering officer. The service required is to protect the western frontier against Cortinas and his band and to arrest them if possible. The term will expire at the discretion of the governor or legislature.

H. R. RUNNELS.

Duplicate of this directed to M. B. Highsmith.

EXECUTIVE OFFICE, *Austin, November* 17, 1859.

SIR: You are hereby authorized to muster into the volunteer militia service of the State of Texas ——— mounted men, for the purpose of quelling the insurrection or resisting the armed invasion of one ——— Cortinas and his followers in the southwestern border of said State. In executing this authority you will be guided by the following instructions, to wit:

1st. The companies of men already raised in Bexar, Victoria, Gonzales, and other counties will be adopted into this service and organized under these instructions.

* * * * * * *

2d. You will organize the force as nearly as possible upon the basis adopted in the United States Army, having each company to consist of one captain, one first lieutenant and one second lieutenant, four sergeants, four corporals, two buglers, two farriers and blacksmiths, and seventy-four privates.

3d. Immediately upon the organization of each company the men will elect their commissioned officers, and as early as possible they will also elect their field-officers, and commissions will be forwarded for all of said officers from this office to you at any designated point immediately upon the receipt of the information of said elections, and until said elections of field-officers you will command the entire corps.

4th. When the force is organized the commanding officer will appoint a quartermaster, paymaster, &c.

5th. As the companies are organized, and until the organization of the whole corps is completed, you are authorized to contract for, upon the credit of the State, and thus furnish supplies of subsistence, forage, ammunition, and all other needful articles, and also for the necessary means of transportation for the same.

6th. The point at which the troops raised under these instructions shall be the town of San Pelvecia, if practicable; but, if not, then the selection of said point is left to your discretion.

7th. You will, as far as may be possible, or as the emergency will permit, receive only such men as are able-bodied, well mounted, and well armed. You are expected to execute the duties imposed by these instructions by the earliest day, and when said duties are performed the commanding officer of the whole force will proceed in obedience to other instructions, which are herewith handed you.

8th. *Instruction.*—During the time required to complete said organization all the men enlisted in said service, commissioned or non-commissioned officers, privates, or persons in any wise attached to the service, are hereby required to pay due respect and obedience to your orders, and you will adopt the Articles of War and the Regulations of the United States Army in the governance of said force, except where manifestly inapplicable.

9th. You will rank as major, and receive the same and reserve the pay and emoluments of a like grade in the cavalry arm of the United States service until the services above designated have been performed and the field organization completed.

H. R. RUNNELS.

JOHN S. FORD.

No. 111.

EXECUTIVE DEPARTMENT, *January* 23, 1860.

SIR: You are hereby appointed paymaster, for the purpose of paying off the companies of Capt. John S. Ford and Capt. John H. Brown.

You will be careful to discharge the duties incident and belonging to the appointment, and will be entitled to such compensation as is by law allowed, and before entering on the duties you will give bond according to law and take an oath to discharge the duties of the office of paymaster.

I have the honor to be, your obedient servant,

[SEAL.] SAM HOUSTON.

P. S.—You will also proceed to pay off Capt. J. Bourland's company, at Gainesville, Cooke County, Texas.

SAM HOUSTON.

JOHN M. SWISHER, Esq.

No. 112.

WAR DEPARTMENT, *February* 28, 1860.

SIR: Your dispatch was received and promptly submitted to the President, when ction was immediately had to carry out your wishes.

Such measures as the means and the power of this department could command have een taken for the defense of the Texan frontier on the Mexican border.

An officer of great discretion and ability has been dispatched to take command of he Department of Texas, and has no doubt arrived at the scene of action before this ate. Strong additional re-enforcements will be sent into Texas as soon as the season f the year will render a movement of troops possible.

JOHN B. FLOYD,
Secretary of War.

Hon. SAMUEL HOUSTON,
Governor of Texas.

No. 113.

TREASURY DEPARTMENT,
Second Auditor's Office, March 3, 1860.

SIR: I have the honor to acknowledge the receipt of a letter from the chairman of he Committee on Military Affairs and the Militia of the United States Senate, with its nclosures, with a request for a report thereon.

The object of the letter is for the purpose of acting understandingly on the claim of he State of Texas for money advanced by her for services rendered by volunteers alled into service by the governor of said State for the protection of the frontier of aid State.

The letter embraces three points, to wit:

First. The amount of claims of Texas now pending in the War Department;

Secondly. The nature of claims; and,

Thirdly. Any information in relation to these claims which the War Department can urnish.

In reference to the first and second points, this office can give no information, inasuch as no claims have ever been filed or received from the State of Texas.

As to the third point, I have nothing to report directly touching the question, but s one of the papers submitted is called a statement of the amounts paid and assumed y the State of Texas for the support of volunteers called into service for the protection of the frontier since the 28th day of February, 1855, I beg leave to offer a few remarks touching the matter incidentally, which may be the means of eliciting further nquiry.

This statement presents the sum of $55,000, having been appropriated by the State of Texas for the pay of Captains W. R. Henry, Giles S. Boggess, John G. Walker, W. Fitzhugh, P. H. Rodgers, and Charles E. Travis's, companies of volunteers, being six companies called out by General P. F. Smith, United States Army.

The State of Texas alleges to have paid these companies $45,975.38, leaving a balance of $9,024.62 subject to be drawn for said purpose.

Section 1 of act of Congress, 3d March, 1855, chapter 169, provides the sum of $137,755.38 for pay, supplies, and traveling expenses of six companies of Texas volunteers, called into service by the governor of Texas, and mustered into the service of the United States; and section 21 of the civil and diplomatic expenses of government for the year ending June 30, 1856, and for other purposes, approved March 3, 1855, provides the sum of $25,000 to pay the necessary expenses of six companies of volunteers called into the service of the United States by Brigadier-General Smith, in the State of Texas, to be paid under the direction of the Secretary of War.

The six companies alluded to in the aforesaid sections are the identical companies stated in the abstract of particulars submitted by the State of Texas, and by a letter addressed to Col. S. Cooper, Adjutant-General, United States Army, on the 8th January, 1859. It will be observed this office has paid these companies to the amount of $[illegible],449.70, a copy of said letter, with a list of the companies, being inclosed.

All the papers submitted to me I herewith respectfully return.

I remain, truly, yours,

T. J. D. FULLER,
Second Auditor.

Hon. JOHN B. FLOYD,
Secretary of War.

No. 114.

TREASURY DEPARTMENT,
Third Auditor's Office, March 12, 1860.

SIR: I had the honor to receive from you on the 6th instant, for a report, the letter addressed to your department on the 18th of January last by Hon. Jefferson Davis, chairman of the Committee on Military Affairs of the United States Senate, relative to claims of the State of Texas, on account of volunteers called out for the protection of said State against Indian hostilities.

Mr. Davis transmits Senate resolutions No. 3, referred to his committee by the Senate, and desired that said committee may be informed what amount of claims of the State of Texas is now pending in your department; what is the nature of said claims; if they were for the payment of volunteer troops; whether, in the opinion of your department, there was a necessity for calling them into service at the time; also, for any information in relation to the Texas claims which you may be able to furnish, so as to enable said committee to act understandingly upon them. The resolution limits the inquiry to claims created or assumed by said State subsequent to 28th February, 1855.

In reply, I have the honor to state that no claim of the State of Texas, of any description, has been presented at or filed in this office since the 2d day of January, 1852. The letter of Mr. Davis and accompanying papers are herewith returned

I am, with great respect, your obedient servant,

R. J. ATKINSON,
Auditor.

Hon. JOHN B. FLOYD,
Secretary of War.

No. 115.

WAR DEPARTMENT, *March* 14, 1860.

SIR: Your dispatch of the 8th instant has been received and submitted to the President. He directs me to say that he declines your tender of volunteers, inasmuch as a dispatch has this day been received by the Adjutant-General of the Army from Brevet Col. Harvey Brown, Second Artillery, dated New Orleans, March 13, 1860, in which he says, "I left Brownsville on the 8th instant. All was quiet on the frontier. The disturbances were believed to be over, and Cortinas to have given up the contest and to have retired into the interior of Mexico. Major Heintzelman has officially reported the war to be ended."

This information, being so much later and more direct from the scene of the late difficulties than you could have received at Austin at the date of your dispatch, leads the President to believe that you are mistaken or have been misinformed.

Besides, there are now in Texas, ready for active service, two thousand six hundred and fifty-one troops, which force will soon be increased by the addition of ten companies, comprising eight hundred and forty-two men, now under orders to proceed there from New Mexico. Of these last, five companies are to be stationed at Ringgold Barracks and five at Fort Clark. The quota of arms now due to the State of Texas, under the law, amounts to one hundred and sixty-nine muskets, which, in an emergency, may be doubled by anticipating the quota for the next year, and which will be promptly delivered upon your requisition. As the money value of the arms for the two quotas does not amount to $5,000, you will readily perceive that it is entirely impracticable to meet the requisition for arms, appendages, and accouterments made in your dispatch, the cost of which, at the lowest estimate, is within a fraction of $100,000.

The President further directs me to say that, with a sincere desire in every practicable way to meet the wishes of the governor and people of Texas, he conceives he has already performed his whole duty in the premises, under the circumstances.

Very respectfully,

W. R. DRINKARD,
Acting Secretary of War.

His Excellency SAM HOUSTON,
Governor of Texas, Austin, Tex.

No. 116.

WAR DEPARTMENT, *March* 31, 1860.

SIR: I had the honor to receive on the 1st instant your letter of the 18th January last, inclosing a resolution to provide for the payment of the claims of Texas for the reimbursements of money expended for the support of volunteers called out for the

rotection of the State, and asking information on the subject. In reply, I have the nor to transmit herewith reports of the Second and Third Auditors, from which it ill be perceived that there are no claims of the State of Texas now pending before is department.

The statement of the comptroller of Texas, transmitted with the report of the econd Auditor, is the only evidence received at this department that Texas has such laims against the United States.

The resolution is returned.

Very respectfully, your obedient servant,

JOHN B. FLOYD,
Secretary of War.

Hon. JEFFERSON DAVIS,
Chairman Committee on Military Affairs, Senate.

No. 117.

WAR DEPARTMENT, *September* 11, 1860.

SIR: In answer to the inquiries c ntained in your letter of the 14th ultimo, I have he honor to state that, in order to procure the settlement of the account for expenses ncurred by the State of Texas for frontier defenses, a full statement of that account, roperly sustained by original vouchers, should be transmitted to this department.

Very respectfully, your obedient servant,

JOHN B. FLOYD,
Secretary of War.

Hon. E. S. N. CAVE,
Secretary of State of Texas, Austin.

No. 118.

November 15, 1860, Second Auditor (F 115,) reports on letter of E. S. N. Cave, calling attention to the two appropriations to reimburse the State of Texas for money paid on account of frontier defenses.

I have examined and considered the evidence submitted for my decision on the question presented in the proviso to the sixth section of the act of June 21, 1860, making "appropriations for the support of the Army for the year ending 30th June, 1861," and am satisfied that there was a necessity for calling out the Texas volunteers mentioned therein, and that they were called out by competent authority.

The Second Auditor will therefore have the claim of Texas audited under the provisions of the said sixth section as soon as the proper vouchers of the claim of the State are received by him.

War Department, November 15, 1860.

J. B. FLOYD,
Secretary of War.

No. 119.

WAR DEPARTMENT, *December* 17, 1860.

SIR: I have the honor to acknowledge the receipt of your communications by mail of the 28th ultimo, and by telegraph of the 6th instant, desiring that a corps of Texas Rangers may be called into the service of the United States in view of late depredations and murders committed by Indians on the frontiers of Texas.

In reply, I have respectfully to inform you that, Congress having given no sanction for such a measure, this Department is without the necessary power to adopt it. In connection with this subject, I beg leave to say that, in consequence of previous representations from your excellency and the unprotected state of the frontier settlements in Texas, the number of regular troops in that military department has been recently much augmented, so that it now exceeds what it has been at any time before. It now consists of five companies of artillery, two of which are armed with light batteries, ten companies of cavalry, and twenty-five companies of infantry; in all, equal to four regiments.

I cannot permit myself to doubt that these troops will be found efficient and ready

for any active service the Indian relations in the State may demand, and that, so soon as the proper commanders on the spot become aware of the need of their assistance in any quarter, it will be promptly and successfully applied.

I have the honor to be, sir, very respectfully, your obedient servant,

JOHN B. FLOYD,
Secretary of War.

His Excellency SAM HOUSTON,
Governor of Texas, Austin.

No. 120.

THE STATE OF TEXAS, *Executive Department:*

I, the undersigned, governor of the State aforesaid, do hereby certify that a company of mounted rangers, mustered into the service of the State of Texas on the 28th day of January, 1858, commanded by Capt. John S. Ford, were duly recognized as having been called out by competent authority, and ordered to be paid by act of the legislature of the State of Texas approved January 27, 1858.

In testimony whereof I have caused the seal of the State to be affixed. Done at the city of Austin this 25th day of January, A. D. 1861, and in the year of the Independence of the United States the eighty-fifth and of Texas the twenty-fifth.

SAM HOUSTON.

[SEAL.]

By the governor:
E. W. CAVE,
Secretary of State.

No. 121.

TREASURY DEPARTMENT,
Second Auditor's Office, February 13, 1861.

SIR: The State of Texas, through C. R. Johns, esq., comptroller of the State, [illegible] sents the claim of said State, under the sixth section of act of Congress June 21, [illegible] and his authority for so doing I derive from a certified copy of an act of the legis[illegible] ture of the State, passed January 28, 1861, inclosed. Inasmuch as your predece[illegible] on the 15th November, 1860, decided the necessity for calling out troops by the S[illegible] of Texas, and that they were called out by competent authority, I have now only to consider at present two points, to wit: first, that the amount now claimed [illegible] actually paid by the State of Texas; secondly, the compensation to be allowed is only for the period during which said troops were actively employed in military service. From the limited period allowed me to examine the claim presented, [illegible] from Mr. Johns's desire of a speedy action, I am satisfied the papers are very [illegible] made out, and very deficient in many essential particulars, as is more fully elucidated in an exhibit marked A, herewith inclosed.* What is that but evidence, if [illegible] an agent, that said agent was duly appointed and recognized as such; that [illegible] sums were advanced to him by the State for said purposes, and that he made [illegible] ments, giving the time of said payments as evidence of his disposition of [illegible] advanced to him and paid by the State. If payments were directly made [illegible] treasurer, we should have some tangible evidence of the fact, showing the time when paid and the warrant on which payment was made. Every fact should be substantiated by affidavit, and the whole submitted under the broad seal of the State. Now, as to the period for which payment should be made, the law requires it should be for the time the troops were actively employed in military service. From the evidence produced by what is called the muster-rolls, does it appear that the time is actually given as to the troops' active employment? I think not. Take for instance Captain Black's company-roll, which says, "organized in the year 1856." The pay-roll embraces a period of one year, from January 1 to December 31, 1856, and yet on that pay-roll but sixty days have been paid for; what sixty out of the three hundred and sixty-five days is not shown. This is one out of many cases, as you will perceive by the Exhibit A. In order to fully adjust the claim of the State of Texas under the act of Congress of 21st June, 1860, in conformity with the practice of this office in like cases, it would be necessary to have regular muster-rolls, showing the time when each were mustered in and out of service; how long each was actually employed during the period of service. To these rolls proper affidavits should be annexed, and to the par-

* To satisfy the United States that the State of Texas actually paid her troops the amount claimed, we should require the best proof that could be obtained.

rolls the exact time paid for during the whole period should be noted; also by whom paid, and when paid, and every voucher should give the period of service and by whom paid, so as to show clearly that the State has actually paid the amount claimed. Unless this is done I cannot conceive how the government can refund to the State of Texas any amount which she claims. All of which is respectfully submitted.

Your obedient servant,

T. J. D. FULLER,
Second Auditor.

Hon. J. HOLT,
Secretary of War.

Approved.

J. HOLT,
Secretary of War.

WAR DEPARTMENT, *February* 14, 1861.

List of exceptions to the claim of State of Texas under act 21st June, 1860, section 6.

Capt. J. H. Callahan's company.—The pay-roll does not state from whom the money was received. The three officers of the company produce receipts without rendering any accounts. The amount was received from Col. John D. Pitts, as paymaster.

Capt. N. Benton's company.—No muster-in roll, but a muster-out one on 15th October, 1855. No evidence as to who paid the company by the pay-roll, nor at what time paid.

Capt. W. R. Henry's company.—No evidence as to who paid the company.

Capt. W Tom's company.—The pay-roll does not state the specified month paid or by whom paid. The officers were paid on vouchers by one J. H. Raymond, called a paymaster. One private paid at treasury of State, a certified copy presented; the originals in all cases have been required by the Secretary of War.

Capt. W. G. Tobin's company.—A list is given of the company as to the commencement and ending of service, called a muster-roll, and is alleged as a copy of his company. No evidence on the pay-roll who paid the company. Captain Tobin is paid for one month's service by J. H. Raymond, called paymaster, but the year and precise month is not given.

Capt. Levi English's company.—A list is furnished for a muster-roll. Officers paid on vouchers by J. H. Raymond, called treasurer. Length of time given, but the particular month and year not given. The pay-roll does not state from whom received. Privates paid at treasury are known only by copies. The originals not produced.

Captain Sansom's company.—A muster-in but no muster-out roll. Mustered in on 19th April, 1856. Pay-roll paid by N. Robinson, called paymaster, from 16th April to 16th July, 1856. The pay commences three days before muster in.

Captain Davenport's company.—Paid by N. Robinson, called paymaster. Period, March 13, 1856, to 1st June, 1857. But three months' time paid.

Captain Black's company.—A roll is presented which says organized in year 1856—sixty days. Pay-roll is from 1st January to 31st December, 1856, one year; yet but sixty days is paid for by N. Robinson, called paymaster.

Lieut. T. K. Carmack's company.—A list of names is called a muster-in roll. Pay-roll paid by J. H. Raymond, called treasurer. No voucher received of the private paid at treasury.

Capt. J. H. Connor's company.—The muster-roll purports to be a mere copy; the original is not produced. Pay-roll does not state from whom received.

Lieut. F. C. Frost's company.—A muster-in but no muster-out roll. The pay-roll does not state by whom paid. Lieutenant Frost paid on voucher, but by whom is not mentioned.

Capt. J. S. Hodges's company.—A muster-in roll, 14th December, 1857. The pay-roll is for three months; but by whom paid is not stated. Captain Hodges is paid for four and one-half months, a one and one-half beyond the company. No evidence except his own statement of services as to the excess, nor is it stated from whom he received pay. Privates paid at the treasury are stated, but no vouchers.

Capt J. S. Ford's company.—Pay-roll purports to be paid by Edward Burleson, called paymaster. Officers' vouchers fail to state from whom paid.

The circumstances of the raising, organizing, and muster into service of the above six companies are set forth in my report to the Secretary of War, upon the claim of S. M. Swenson, of Austin, Tex., dated June 5, 1855, which is submitted herewith. That claim was under a contract dated October 30, 1854, with E. M. Pease, governor of Texas, for supplying said companies with subsistence, forage, and medicines, camp equipage, stationery, ammunition, and transportation, from the date of said contract until the companies were mustered into the service of the United States, and was paid through this office in June and August, 1855, amounting to $20,990.69.

Of course any part of the present claim of the State for supplies that were furnished said companies to the extent they were entitled to, according to existing regulations, ought not to be allowed. With respect to the accounts and vouchers, they appear to have been very loosely made out, many of them wanting dates and receipts. I would therefore suggest that they all be returned to the authorities of the State, through her comptroller, Clement R. Johns, esq., to be perfected as follows: Every account for any kind of supply should have all the items distinctly set forth, with date, when furnished, and rates of charge, and every account for service of all descriptions should, in like manner have set forth the dates when performed, with rates of charge, and be certified to as to correctness by the commanding officer if possible, and, finally, all accounts and vouchers should have the receipt of the parties to whom due, in favor of the State or its authorized agent.

It is proper to state that the objections heretofore noted to the papers as presented relate almost exclusively to matters of form in making them out, and the requirements are preliminary to an investigation with reference to the character of the items charged for. The questions of the propriety of the charges, and other questions going to the merits of the claims, are reserved for future consideration, when the claims shall be again presented with the additional evidence required by the law.

It is also proper to say that all property purchased by the State agents, not of a perishable nature, such as horses, mules, oxen, wagons, camp equipage, &c., must be accounted for by being shown to have been used up in the service, or afterward sold for the benefit of the State, or turned in to its proper agents.

I am, with great respect, your obedient servant,

R. J. ATKINSON,
Auditor.

Approved:

J. HOLT,
Secretary of War.

WAR DEPARTMENT, *February* 27, 1861.

No. 123.

WASHINGTON, *February* 23, 1861.

SIR: From your report on the claim of Texas, recently filed, I learn that there are informalities in the papers and deficiencies in the evidence of such a character as to render it necessary that the papers should be returned to Texas for the purpose of being perfected and returned to your office. I would therefore ask permission to withdraw all the papers in the case.

Very respectfully, &c.,

CLEMENT R. JOHNS,
Comptroller of the State of Texas.

Papers returned, accompanied by letter 23d February, 1861.

C. H.

No. 124.

TREASURY DEPARTMENT,
Third Auditor's Office, February 23, 1861.

SIR: In compliance with your request, I herewith return all the papers pertaining to your office received with your two letters of the 16th instant, transmitting the claim of the State of Texas, under the second section of the act of Congress approved March 3, 1859, chapter 83, and the sixth section of the act approved June 21, 1860, chapter 163. All the accounts and papers received therewith, referable to this office, have been withdrawn and retained for such action as is required in the premises.

I am, very respectfully, your obedient servant,

R. J. ATKINSON,
Auditor.

T. J. D. FULLER, Esq.,
Second Auditor.

Capt. James H. Callahan's company.

In service from July 20 to October 19, 1855:

Amount		$7,988 60
Sundry accounts, from 1-14, such as are objectionable, are so noted on the account	$5,750 60	
Roll of losses of horses and arms by W. H. Wood and twenty-eight others; same remarks as to Capt. Nat. Benton's company, above	2,238 00	
	7,988 60	

Capt. William R. Henry's company.

In service from September 15 to October 15, 1855:

Amount		1,290 00
A roll of losses of horses and arms by W. R. Henry and fourteen others, with affidavits of loss; same remarks as to Capt. Nat. Benton's company, above	$1,290 00	

Capt. William Tom's company.

In service from the 18th of October to 16th November, 1855:

Amount		408 97
Account of Ezra Keyser, for amount paid for subsistence; the quantity of each article and the rates of charge should be given, and the receipts of the parties to whom Mr. Keyser paid the several amounts should be stated	$408 97	

Capt. John S. Ford's company.

In service from January 10 to August 5, 1858:

Amount belonging to Third Auditor's Office		46,884 57
And first a roll of losses of horses and arms, amounting to $568, to which the same remarks are applicable as to Capt. Nat. Benton's company; upon the vouchers for the balance of the amount, such as are objectionable are so noted on the account.	$46,884 57	
Miscellaneous expenses for frontier defenses, amount Third Auditor		755 85
The objections are noted on the several accounts		58,807 49

Six companies of Texas rangers, called into service by Governor E. M. Pease, from October 30 until mustered into the service of the United States, for the three months, as follows:

Capt. J. G. Walker, mustered into the service of United States December 1, 1854.

Capt. C. E. Travis, mustered into the service of United States December 1, 1854.

Capt. W. R. Henry, mustered into the service of United States December 14, 1854.

Capt. J. H. Rodgers, mustered into the service of United States December 22, 1854.

Capt. G. S. Boggess, mustered into the service of United States December 23, 1854.

Capt. William Fitzhugh, mustered into the service of United States December 24, 1854.

And the following amounts belong to the Third Auditor's Office for settlement:

Capt. J. G. Walker's company	$958 20	
Capt. C. E. Travis's company	70 70	
Capt. W. R. Henry's company	269 42	
Capt. J. H. Rodgers's company	985 95	
Capt. Giles S. Boggess's company	2,059 99	
Capt. William Fitzhugh's company	381 87	
		4,726 13
Total amount retained by Third Auditor		63,533 62

The circumstances of the raising, organizing, and muster into service of the above six companies are set forth in my report to the Secretary of War, upon the claim of S. M. Swenson, of Austin, Tex., dated June 5, 1855, which is submitted herewith. That claim was under a contract dated October 30, 1854, with E. M. Pease, governor of Texas, for supplying said companies with subsistence, forage, and medicines, camp equipage, stationery, ammunition, and transportation, from the date of said contract until the companies were mustered into the service of the United States, and was paid through this office in June and August, 1855, amounting to $20,990.69.

Of course any part of the present claim of the State for supplies that were furnished said companies to the extent they were entitled to, according to existing regulations, ought not to be allowed. With respect to the accounts and vouchers, they appear to have been very loosely made out, many of them wanting dates and receipts. I would therefore suggest that they all be returned to the authorities of the State through her comptroller, Clement R. Johns, esq., to be perfected as follows: Every account for any kind of supply should have all the items distinctly set forth, with date when furnished, and rates of charge, and every account for service of all description should, in like manner have set forth the dates when performed, with rates of charge and be certified to as to correctness by the commanding officer if possible, and, finally all accounts and vouchers should have the receipt of the parties to whom due, in favor of the State or its authorized agent.

It is proper to state that the objections heretofore noted to the papers as presented relate almost exclusively to matters of form in making them out, and the requirements are preliminary to an investigation with reference to the character of the items charged for. The questions of the propriety of the charges, and other questions going to the merits of the claims, are reserved for future consideration, when the claim shall be again presented with the additional evidence required by the law.

It is also proper to say that all property purchased by the State agents, not of a perishable nature, such as horses, mules, oxen, wagons, camp equipage, &c., must be accounted for by being shown to have been used up in the service, or afterward sold for the benefit of the State, or turned in to its proper agents.

I am, with great respect, your obedient servant,

R. J. ATKINSON,
Auditor.

Approved:

J. HOLT,
Secretary of War.

WAR DEPARTMENT, *February* 27, 1861.

No. 123.

WASHINGTON, *February* 23, 1861.

SIR: From your report on the claim of Texas, recently filed, I learn that there are informalities in the papers and deficiencies in the evidence of such a character as to render it necessary that the papers should be returned to Texas for the purpose of being perfected and returned to your office. I would therefore ask permission to withdraw all the papers in the case.

Very respectfully, &c.,

CLEMENT R. JOHNS,
Comptroller of the State of Texas.

Papers returned, accompanied by letter 23d February, 1861.

C. H.

No. 124.

TREASURY DEPARTMENT,
Third Auditor's Office, February 23, 1861.

SIR: In compliance with your request, I herewith return all the papers pertaining to your office received with your two letters of the 16th instant, transmitting the claim of the State of Texas, under the second section of the act of Congress approved March 3, 1859, chapter 83, and the sixth section of the act approved June 21, 1860, chapter 163. All the accounts and papers received therewith, referable to this office, have been withdrawn and retained for such action as is required in the premises.

I am, very respectfully, your obedient servant,

R. J. ATKINSON,
Auditor.

T. J. D. FULLER, Esq.,
Second Auditor.

by copies of communications to and from the executive, which will fully demonstrate the necessity. The claim for military services on the Rio Grande amounts to $13,354.77 and interest.

NOTE.—The foregoing appears to have been made by Hon. J. P. Newcomb, secretary of the State of Texas.

No. 130.

WASHINGTON, D. C., *November* 11, 1871.

SIR: I am here to submit to your consideration the original papers pertaining to the claim of the State of Texas for reimbursement for moneys paid out for frontier defense under acts of Congress March 3, 1859, and June 21, 1860, and to ask in behalf of the State as speedy an investigation and settlement of the matter as possible, consistent with the convenience of your department.

In the spring of 1861 the State of Texas, through its agent, Mr. Clement R. Johns, presented this claim, but the rebellion had already been inaugurated in the South, and the hesitancy of the department and obstacles thrown in the way of a settlement at that time were largely attributable to the threatening condition of the South, and actual hostilities began while Mr. Johns was in Washington, effectually and fortunately putting an end to all further negotiation. The matter has lain dormant up to the inauguration of the present State administration, and it has been with much difficulty that the original papers relating thereto have been gotten together, as the records of the State were thrown into confusion and destroyed to a great extent during the rebellion. The papers are now presented in the best possible shape, and constitute the only showing the State can make. The objections raised at the time Mr. Johns presented the case were mainly of a technical nature, to wit, that the vouchers and papers were not made out in all particulars in a business-like manner, lacking formality, &c.; in fact, that the State had done its business in a very loose way.

We have attempted to remove many of the causes of objection then raised, by supplying the evidence required. The State paid these frontier claims, and the only fact, it appears to us, necessary to be established, in order that the appropriations made by the general government may be applied to reimburse the State, is that the State has liquidated these claims. I believe the evidence I have to present does this satisfactorily. The lapse of time and the war have placed it beyond our power to make good all technical defects, as many of the parties connected with the transactions are either dead or their residences unknown, while the whole matter has passed into history, and beyond the remedy of technicality.

Hoping that this business, which is of great importance to our State, will enlist your earnest attention and be dealt with in a liberal manner, I have the honor to be, very respectfully, your obedient servant,

JAMES P. NEWCOMB.

Hon. GEO. S. BOUTWELL,
Secretary of the Treasury, Washington, D. C.

No. 131.

WASHINGTON, D. C., *November* 16, 1871.

GENERAL: During our interview on Saturday last, you suggested that there was no appropriation to pay the claim of the State of Texas, or rather that by act of July 12, 1870, such appropriation had been covered into the Treasury. I hope this point will be thoroughly examined before passed or decided adversely to the claim of the State of Texas, it being, in fact, preliminary to any settlement of the matter at this time. If you will take the two acts, March 3, 1859, and July 21, 1860, together, I think you will conclude that the consideration involved must be construed under the head of a permanent appropriation until the matter is finally disposed of by the compliance of both parties, the State of Texas and the United States Government, with the provisions of the act.

The act of March 3, 1859, section 2, provided for the repayment to the State of Texas, out of any moneys not otherwise appropriated, moneys advanced by the State for the payment of six companies of mounted volunteers, called into service by General P. F. Smith, with the proviso, that the allowance should be no greater than for United States troops, and for a period of three months. The act of June 21, 1860, section 6, extends the provision of the act of March 3, 1859, to include all moneys advanced by the State in payment of volunteers called out in defense of the frontier since 28th of February, 1856, with proviso that the Secretary of War shall be satisfied that there was a necessity for calling out these troops, that they were called out by competent authority,

and the amount claimed by the State was actually paid by the State, and the amount to be allowed limited to $123,544.51, &c. Had this limit not been stated, the State of Texas could have come forward and claimed the full amount of her outlays under the act.

I regard the acts cited as a contract, bargain, and agreement on the part of the United States Government and the State of Texas. The State of Texas has made good its part of the agreement; it remains for the United States to complete the matter. If the act of July 12, 1870, eliminates the $123,544.51 from the act of June 21, 1860, then we claim a general adjustment of all our claims within the dates mentioned and the entire amount expended by the State.

Respectfully.

JAMES P. NEWCOMB,
Secretary of State.

General W. W. BELKNAP,
Secretary of War, Washington, D. C.

No. 132.

WAR DEPARTMENT,
Washington, D. C., November 16, 1871.

SIR: Your letter of the 11th instant and certain claims of the State of Texas, which were therewith submitted by you to the honorable the Secretary of the Treasury, have been received at this Department, as has also your statement, dated to-day, in relation to the application of certain laws.

The aggregate of the claims, as submitted by your abstract, is $209,656.99. Of this amount it is alleged that only $50,001.81 were expended for the six companies referred to in the act of March 3, 1859, and the balance, $159,655.18, is claimed, it is supposed, under section 6, act of June 21, 1860.

Regarding the expenses of the six companies, I have to state that various United States laws, made within the last decade of years, in reference to the applicability of appropriations made by former acts, as well as in reference to the consideration of certain claims against the government, convey to my mind an impression that no officer of the government can at this time admit or pay any portion of these claims. It is understood that a discretionary power, in relation to them, was granted to the head of this department in the act of March 3, 1859, by which he was "authorized," but not, as in many other cases, specially directed to act, and in this instance I prefer to adopt the above impression. No claim can now be considered under section 6 of the act of June 21, 1860, as the amount thereby appropriated, viz, $123,544.51, was carried to the "surplus fund," under section 10 of the act of August 31, 1852, by a warrant dated June 30, 1863.

In view of the foregoing facts, I have to inform you that the claims submitted by you cannot be favorably entertained at this department until Congress acts further in regard to them.

Very respectfully, your obedient servant,

WM. W. BELKNAP,
Secretary of War.

JAMES P. NEWCOMB, Esq.,
Secretary of the State of Texas.

No. 133.

WASHINGTON, D. C., *November* 18, 1871.

GENERAL: Your reply of November 16 is at hand. Having performed my duty as the agent of his excellency Governor E. J. Davis, governor of Texas, in presenting the claim of the State of Texas for repayment of moneys advanced by the State to frontier troops called into service by authority of the United States Government, and as by your ruling we are entirely excluded from a settlement, unless by further act of Congress, I respectfully ask that the papers and vouchers pertaining to this claim be retained in the custody of your department, to await further action.

In conclusion, allow me to thank you for the kindness and consideration you have shown me, and I only regret that the business could not have been settled without further delay, as the money would have been of great assistance to our struggling State administration at this time.

Very respectfully, your obedient servant,

JAMES P. NEWCOMB,
Secretary of State of Texas.

General WM. W. BELKNAP,
Secretary of War, Washington, D. C.

No. 134.

FORTY-SECOND CONGRESS, SECOND SESSION.

CONGRESS OF THE UNITED STATES,
In the House of Representatives, January 18, 1872.

On motion of Mr. WILLIAM T. CLARKE,

Resolved, That the Secretary of War be, and is hereby, directed to inform this House why the money appropriated under the acts of Congress, March 3, 1859, and June 23, 1860, has not been paid to the State of Texas as provided for in said acts.

Attest:

EDWARD McPHERSON, *Clerk*,
By ISAAC STROHM, *Assistant Clerk*.

No. 135.

WAR DEPARTMENT, *January* 19, 1872.

The Secretary of War has the honor to send to the House of Representatives, in compliance with a resolution of the 18th of January, 1872, inquiring "why the money appropriated under the acts of Congress, March 3, 1859, and June 23, 1860, has not been paid to the State of Texas as provided for in said acts," the following-mentioned papers, which give the requisite information:

A copy of a letter of November 11, 1871, from the secretary of the State of Texas to the Secretary of the Treasury, showing why the money had not been paid prior to that date. A copy of a letter of November 16, 1871, from the Secretary of War to the secretary of the State of Texas, showing why the money has not been paid since the last-mentioned date.

WM. W. BELKNAP,
Secretary of War.

No. 136.

Statement of advances made by the State of Texas, for frontier defenses, from February 28, 1855, *to September* 18, 1858.

For what purpose.	Amount paid.	Amount appropriated.	Balance undrawn.
Amount appropriated December 17, 1855, to pay the three following-named companies, viz:	.....	$16,091 12	.....
Commanded by Capt. James H. Callahan	$10,080 18	.....	.....
Commanded by Capt. Nat. Benton	2,509 83	.....	.....
Commanded by Capt. W. R. Henry	2,981 00	.....	$520 11
Amount appropriated, same date, for their subsistence	.....	5,755 22	.....
Amount paid thereon to sundry parties	5,750 60	.....	4 62
Amount appropriated, same date, for compensation of paymaster to above-named companies.	.....	100 00	.....
Amount paid John D. Pitts, paymaster	100 00	.....	.....
Amount appropriated January 14, 1856, to pay the six following-named companies called out by General P. F. Smith:	.....	55,000 00	.....
Commanded by Capt. W. R. Henry	7,791 58	.....	.....
Commanded by Capt. Giles S. Boggess	8,489 05	.....	.....
Commanded by Capt. John G. Walker	7,980 55	.....	.....
Commanded by Capt. William Fitzhugh	8,213 76	.....	.....
Commanded by Capt. P. H. Rodgers	5,936 16	.....	.....
Commanded by Capt. Charles E. Travis	7,564 28	.....	9,021 62
Amount appropriated, same date, for payment of balances due on contracts for support of above companies.	.....	6,000 00	.....
Amount paid thereon from February 2, 1856, to September 6, 1858.	4,026 43	.....	1,973 57
Amount appropriated August 30, 1856, to pay the three following-named companies, viz:	.....	4,489 20	.....
Commanded by Capt. William Tom	1,494 72	.....	.....
Commanded by Capt. W. G. Tobin	917 46	.....	.....
Commanded by Capt. Levi English	1,764 86	.....	312 16
Amount appropriated, same date, to pay for supplies furnished Capt. William Tom's company and to compensate paymaster of above-named companies.	.....	408 97	.....
Amount paid thereon	408 97	.....	.....

Statement of advances made by the State of Texas, &c.—Continued.

For what purpose.	Amount paid.	Amount appropriated	Balance undrawn.
Amount appropriated November 17, 1857, to pay the four following-named companies, viz:	.....	$20, 000 00	.....
Commanded by Capt. T. K. Carmack	$2, 924 80	.....	.....
Commanded by Capt. John H. Conner	4, 273 02	.....	.....
Commanded by Capt. J. C. Froet	2, 863 25	.....	.....
Commanded by Capt. J. S. Hodges	3, 028 25	.....	$6, 910 68
Amount appropriated January 13, 1858, to pay the three following-named minute companies, viz:	.....	6, 600 00	.....
Commanded by Capt. John W. Sansom	.....	.....	.....
Commanded by Capt. John D. Davenport	.....	.....	.....
Commanded by Capt. Reading Black	.....	.....	.....
Amount paid Neill Robinson, paymaster of same	4, 000 00	.....	2, 600 00
Amount appropriated January 27, 1858, to pay Capt. John S. Ford's companies.	.....	70, 000 00	.....
Amount paid Edward Burleson, paymaster of same, and to S. M. Swenson for supplies furnished.	55, 800 00	.....	14, 200 00
Total	148 898 75	184, 444 51	35, 545 76

I, the undersigned, comptroller of public accounts of the State of Texas, do hereby certify that the foregoing statement is a correct and true exhibit of the amounts paid and assumed by the State of Texas for the pay, subsistence, and forage of volunteer troops, called into service for the protection of the frontier since the 28th February, 1855.

Given under my hand and seal of office this 18th day of September, 1858.

[SEAL.] JAMES B. SHAW,
Comptroller.

No. 137.

Statement of advances made by the State of Texas for frontier defense, from February 28, 1855, *to September* 1, 1859.

Abstract.	Company.	Amount.	Total.
Abstract A	James H. Callahan's	$16, 595 46	
	Nat. Benton's	2, 566 83	
	W. R. Henry's	3, 212 60	$22, 374 89
Abstract B	W. R. Henry's	8, 043 81	
	G. S. Boggess's	10, 369 29	
	J. G. Walker's	8, 048 30	
	W. Fitzhugh's	8, 487 63	
	P. H. Rodger's	6, 872 11	
	C. E. Travis's	8, 988 18	50, 109 32
Abstract C	W. Tom's	1, 903 69	
	W. G. Tobin's	917 46	
	L. English's	1, 764 86	4, 586 01
Abstract D	P. H. Carmack's	2, 717 30	
	J. H. Conner's	4, 046 02	
	T. C. Froet's	2, 863 25	
	J. S. Hodges's	3, 100 25	12, 726 82
Abstract E	J. W. Sansom's	1, 155 00	
	J. M. Davenport's	1, 699 62	
	R. W. Black's	791 98	3, 646 60
Abstract F	J. Williams's	1, 085 60	
	J. S. Ford's	56, 992 83	
	W. N. P. Marlin's	752 59	58, 831 02
Abstract G	J. Bourland's	13, 073 74	
	J. H. Brown's	8, 807 91	
	J. S. Ford's	35, 500 68	57, 382 33
	Grand total	.....	209, 656 99

No. 134.

FORTY-SECOND CONGRESS, SECOND SESSION.

CONGRESS OF THE UNITED STATES,
In the House of Representatives, January 18, 1872.

On motion of Mr. WILLIAM T. CLARKE,

Resolved, That the Secretary of War be, and is hereby, directed to inform this House why the money appropriated under the acts of Congress, March 3, 1859, and June 23, 1860, has not been paid to the State of Texas as provided for in said acts.

Attest:

EDWARD McPHERSON, *Clerk*,
By ISAAC STROHM, *Assistant Clerk*.

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WAR DEPARTMENT, *January* 19, 1872.

The Secretary of War has the honor to send to the House of Representatives, in compliance with a resolution of the 18th of January, 1872, inquiring "why the money appropriated under the acts of Congress, March 3, 1859, and June 23, 1860, has not been paid to the State of Texas as provided for in said acts," the following-mentioned papers, which give the requisite information:

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WM. W. BELKNAP,
Secretary of War.

No. 136.

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For what purpose.	Amount paid.	Amount appropriated.	Balance undrawn.
Amount appropriated December 17, 1855, to pay the three following-named companies, viz:	.....	$16,091 12	.....
Commanded by Capt. James H. Callahan	$10,080 18	.....	.....
Commanded by Capt. Nat. Benton	2,509 83	.....	.....
Commanded by Capt. W. R. Henry	2,981 00	.....	$520 11
Amount appropriated, same date, for their subsistence	.....	5,755 22	.....
Amount paid thereon to sundry parties	5,750 60	.....	4 62
Amount appropriated, same date, for compensation of paymaster to above-named companies.	.....	100 00	.....
Amount paid John D. Pitts, paymaster	100 00	.....	.....
Amount appropriated January 14, 1856, to pay the six following-named companies called out by General P. F. Smith:	.....	55,000 00	.....
Commanded by Capt. W. R. Henry	7,791 58	.....	.....
Commanded by Capt. Giles S. Boggess	8,489 05	.....	.....
Commanded by Capt. John G. Walker	7,980 55	.....	.....
Commanded by Capt. William Fitzhugh	8,213 76	.....	.....
Commanded by Capt. P. H. Rodgers	5,936 16	.....	.....
Commanded by Capt. Charles E. Travis	7,564 28	.....	9,021 62
Amount appropriated, same date, for payment of balances due on contracts for support of above companies.	.....	6,000 00	.....
Amount paid thereon from February 2, 1856, to September 6, 1858.	4,026 43	.....	1,973 57
Amount appropriated August 30, 1856, to pay the three following-named companies, viz:	.....	4,489 20	.....
Commanded by Capt. William Tom	1,494 72	.....	.....
Commanded by Capt. W. G. Tobin	917 46	.....	.....
Commanded by Capt. Levi English	1,764 86	.....	312 16
Amount appropriated, same date, to pay for supplies furnished Capt. William Tom's company and to compensate paymaster of above-named companies.	.....	408 97	.....
Amount paid thereon	408 97	.....	.....

Statement of advances made by the State of Texas, &c.—Continued.

For what purpose.	Amount paid.	Amount appropriated	Balance undrawn.
Amount appropriated November 17, 1857, to pay the four following-named companies, viz:	.....	$20, 000 00	.....
Commanded by Capt. T. K. Carmack	$2, 924 80	.....	.....
Commanded by Capt. John H. Conner	4, 273 02	.....	.....
Commanded by Capt. J. C. Frost	2, 863 25	.....	.....
Commanded by Capt. J. S. Hodges	3, 028 25	.....	$6, 910 68
Amount appropriated January 13, 1858, to pay the three following-named minute companies, viz:	.....	6, 600 00	.....
Commanded by Capt. John W. Sansom	.....	.....	.....
Commanded by Capt. John D. Davenport	.....	.....	.....
Commanded by Capt. Reading Black	.....	.....	.....
Amount paid Neill Robinson, paymaster of same	4, 000 00	.....	2, 600 00
Amount appropriated January 27, 1858, to pay Capt. John S. Ford's companies.	.....	70, 000 00	.....
Amount paid Edward Burleson, paymaster of same, and to S. M. Swenson for supplies furnished.	55, 800 00	.....	14, 200 00
Total	148 898 75	184, 444 51	35, 545 76

I, the undersigned, comptroller of public accounts of the State of Texas, do hereby certify that the foregoing statement is a correct and true exhibit of the amounts paid and assumed by the State of Texas for the pay, subsistence, and forage of volunteer troops, called into service for the protection of the frontier since the 28th February, 1855.

Given under my hand and seal of office this 18th day of September, 1858.

[SEAL.] JAMES B. SHAW,
Comptroller.

No. 137.

Statement of advances made by the State of Texas for frontier defense, from February 28, 1855, to September 1, 1859.

Abstract.	Company.	Amount.	Total.
Abstract A	James H. Callahan's	$16, 595 46	
	Nat. Benton's	2, 566 83	
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Abstract B	W. R. Henry's	8, 043 81	
	G. S. Boggess's	10, 369 29	
	J. G. Walker's	8, 048 30	
	W. Fitzhugh's	8, 487 63	
	P. H. Rodger's	6, 872 11	
	C. E. Travis's	8, 288 18	50, 109 32
Abstract C	W. Tom's	1, 903 69	
	W. G. Tobin's	917 46	
	L. English's	1, 764 86	4, 586 01
Abstract D	P. H. Carmack's	2, 717 30	
	J. H. Conner's	4, 046 02	
	T. C. Frost's	2, 863 25	
	J. S. Hodges's	3, 100 25	12, 726 82
Abstract E	J. W. Sansom's	1, 155 00	
	J. M. Davenport's	1, 699 62	
	R. W. Black's	791 98	3, 646 60
Abstract F	J. Williams's	1, 085 60	
	J. S. Ford's	56, 992 83	
	W. N. P. Marlin's	752 59	58, 831 02
Abstract G	J. Bourland's	13, 073 74	
	J. H. Brown's	8, 807 91	
	J. S. Ford's	35, 500 68	57, 382 33
	Grand total		209, 056 99

Statement of advances made by the State of Texas for military services on the Rio Grande, 1859 and 1860.

No.	Description.		Total.
1	Hampton, G. J., captain and quartermaster		$399 98
2	McCord, J. E., for Captain Burleson's company	$2,000 00	6,943 46
3	Paid at the State treasury	4,943.46	
4	H. W. Berry's company		6,011 33
	Total		13,354 77

No. 138.

AN ACT for the relief of Giles S. Boggess.

SECTION 1. *Be it enacted by the legislature of the State of Texas,* That the comptroller of the State be, and he is hereby, authorized and required to settle with Paymaster Giles S. Boggess, upon his presenting to said comptroller a copy of the muster-roll of J. G. Walker's company, made out by him, the said Boggess, upon the best data he can get, and certified to by him, before some person authorized by law to administer oaths, to be just and correct, according to the best of his knowledge and belief, and that the original muster-roll was either stolen from, taken from, or lost by him; said copy of muster-roll, when so made out and certified to, shall be received in lieu of the original roll, the amount or amounts returned by said Boggess as paid shall be passed to his credit upon the books of the comptroller's office.

SEC. 2. That should said Boggess report as paid any person who was a member of said J. G. Walker's company, who has not been paid, it shall be incumbent upon the person wishing to contest the matter to make affidavit, before some person authorized to administer oaths, that he has not been paid; and upon the filing of said affidavit in the comptroller's office, it shall be the duty of the comptroller to notify said Boggess, and allow him sixty days' time to make the proof of payment; and, should the said Boggess fail to satisfy the comptroller that said person has been paid, it shall be the duty of the comptroller to draw his warrant upon the treasurer in favor of such individual, which warrant shall be paid by the treasurer out of the appropriation for the payment of said company; and for each amount so paid the said Boggess shall be held responsible to the State upon bond as paymaster.

SEC. 3. That any member or members of said company who, according to the return made by said Boggess, stand as unpaid upon the certified copy of the muster-roll of said company, shall be entitled to his or their pay by application at the office of the comptroller and treasurer, upon filing an affidavit that he or they have not been paid, and that the amount due them for services rendered in said J. G. Walker's company is still due and owing.

SEC. 4. That this act take effect from its passage.

Approved August 25, 1856.

DEPARTMENT OF STATE,
Austin, Tex., March 5, 1860.

I, the undersigned, secretary of state of the State of Texas, do hereby certify that the transcript on the reverse hereof is a correct copy of the original act on file in the department of state.

Given under my hand and the seal of the department of state the day and year first above written.

[SEAL.]

E. W. CAVE,
Secretary of State.

No. 139.

THE STATE OF TEXAS, *County of Bexar:*

On this 11th day of November, A. D. 1856, personally came before me, James E. Gardner, a justice of the peace in and for said county, Levi English, who, after being duly sworn, says that he is the identical person who was a captain of a company of mounted men who served against the Texas Indians; that he commenced his service about the —— day of August, 1855, and served until about the —— day of November, 1856: that he furnished his own horse, forage, subsistence, and a servant; and that he has not received the pay due him for said service, or any part thereof.

I hereby empower H. W. Sublett, esq., of Austin, Tex., to collect any and all pay which may be due me by virtue of said service.

[SEAL.]

LEVI his + mark. ENGLISH

Personally came before me, James E. Gardner, a justice of the peace in and for said county, Y. P. Alsbury and William H. Long, who, upon their oaths, declare that they are personally acquainted with Levi English, and that they saw him sign the affidavit on the reverse hereof by making his mark, declaring his inability to write, and that they know him to be the identical person who was a captain of a mounted company against the Texas Indians.

Y. P. ALSBURY.
WM. H. LONG.

I, James E. Gardner, justice of the peace for Bexar County, do hereby certify that the foregoing, and on the reverse hereof, was signed by making his mark, declaring his inability to write, and acknowledged in my presence; and that I know the affiants to be creditable persons, and that the claimant is the person he represents himself to be.

Given under my hand and official signature, at office, in the city of San Antonio, on the day and year above written; and that I have no interest in this claim.

JAMES E. GARDNER,
Justice of Peace, Bexar County.

THE STATE OF TEXAS, *County of Bexar:*

I, Samuel S. Smith, clerk of the county court of Bexar County, do hereby certify that James E. Gardner, esq., before whom the foregoing affidavit and declaration on the reverse hereof was made, was an acting justice of the peace in and for the county of Bexar at the time the same was made, and that his signature, herewith attached, is genuine.

In testimony whereof I hereunto sign my name and affix the seal of said county, at office, in the city of San Antonio, this 11th day of November, A. D. 1856.

[SEAL.] SAM. S. SMITH,
Clerk of County Court, Bexar County.
By EDWARD MILES,
Deputy.

No. 140.

IN THE AMERICAN AND MEXICAN JOINT COMMISSION.

PEDRO TAUNS (No. 679) AND OTHERS *vs.* THE UNITED STATES.

To the honorable American and Mexican Joint Commission, in the city of Washington District of Columbia:

The memorial of Pedro Tauns respectfully showeth:

That in the month of October, A. D. 1855, an armed force of more than two hundred Americans, under the command of Captains Callahan and Henry, having crossed the Rio Grande from Texas in the United States, entered and took possession of the town of Piedras Negras, in the State of Coahuila, Mexico, and by force of arms disarmed all the inhabitants of the town, and with many insults, threats, and cruelties drove them from their houses and caused them to flee from the town to the woods. After having pillaged them of all their most valuable and easily transported contents, the said forces set all the houses on fire, reduced the town to ruins and ashes, and then returned with the body to the opposite side of the river by the public ferry. All this was done by the said forces with the aid and protection of the regular officers and soldiers of the United States of America, at that time occupying Fort Duncan, on the left bank of the Rio Grande, in front of Piedras Negras, which regular officers and soldiers, upon a dominant point, planted all their artillery bearing directly upon the town of Piedras Negras, with intent to bombard and destroy the town, in case the inhabitants thereof should resist the forces of Captains Callahan and Henry; and they aided the said forces of Callahan and Henry to cross the Rio Grande to Piedras Negras, one of the said regular officers drowning himself in the act. The said forces of Callahan and Henry were received with their booty in the United States, on the left bank of the Rio Grande, under protection of the said regular officers and soldiers, and permitted to march with their booty to the interior of the State of Texas, where they received the approbation of, and pay from, the said State of Texas for the time they were in Piedras Negras committing the wrongful acts aforesaid; and the Government of the United States of America, by section 6 of an act entitled "An act making appropriations for the support of the Army for the year ending the 30th of June, 1861," approved June 21, 1860, provided to reimburse the State of Texas for the said payment; but the people of the State of Texas having thereafter gone into rebellion against the Government of the United States, the said reimbursement was, therefore, withheld.

When the said forces of Callahan and Henry took possession of Piedras Negras, your

memorialist was living in that town with his family, six in number, and had there, of his own sole and exclusive property, two houses, constructed of lumber, and all the other things set forth in an account hereto annexed, marked Exhibit A, to which reference is here had, making it a part of this memorial, which property was then and there worth the sum of $5,550, gold.

Your memorialist further states that the said forces of Callahan and Henry, in the said pillage and burning which they did in Piedras Negras, on the 3d, 4th, and 5th days of October, A. D. 1855, pillaged and burned his said houses, together with all the other things set forth in an account aforesaid, whereby they very greatly injured him in his property and business, causing him to lose the use, benefit, profit, and enjoyment of his said property ever since he so lost the same, thereby damaging him, in addition to the value of his said property, in the full sum of $8,000, gold.

The said forces of Callahan and Henry drove your memorialist from his home, and compelled him to flee to the woods with all his family, where he wandered for three days, exposed to death under the tomahawk of the barbarous Indians, who frequented the said woods at that time, suffering from hunger and thirst in a degree almost insupportable, whereby they caused him great injury in his person and that of his family, damaging him in the full sum of $52,000, gold.

By all their illegal acts aforesaid, the said authorities of the United States of America did greatly injure your memorialist in his person and that of his family, and in his property and business, whereby they damaged him, in the aggregate, in a great sum, to wit, in the full sum of $65,550 gold; and therefore he prefers this his claim against the Government of the United States of America, for the said sum of $65,550, gold, amount of damages done to him by the authorities thereof.

Your memorialist is, and from his birth has been, a citizen of the Mexican Republic, born in the town of Nacogdoches, State of Texas (then Mexico), July 13, A. D. 1811; his domicile at the present is in the town of Fuente, State of Coahuila, and when this claim had its origin was in Piedras Negras.

The whole amount of this claim does now, and did when it had its origin, belong solely and absolutely to your memorialist; and he has never received any sum of money or other equivalent or indemnification for the whole or any part of the losses and injuries upon which this claim is founded.

This claim was not presented before the 1st of February, A. D. 1869, to the Department of State of the United States or that of the Mexican Republic, or to the minister of the United States in Mexico, or that of the Mexican Republic in Washington.

Your memorialist, in addition to the testimony filed and to be filed in this case, respectfully refers to the memorials and papers in all other cases before the commission, giving full details of the same transactions upon which this claim is founded, and especially refers to the memorials of Ma. Juana Hernandez, Francisco Herrera, Santos Loy, Pedro Villareal, and Dimas Sandobal, in their claims against the Government of the United States, and the testimony of the following witnesses, filed therein, to wit: Luis Sandobal, Manuel Rodriguez, Francisco Salenas, Francisco Gonzales, Francisco Guedea, Antonio Montes, Ramon Rodriguez, Lorenzo Guevara, Timoteo Gonzales, Anestacio Jimenes, José Maria Rivera, Jesus Frias, Santos Loy, José Ma. Carbajal, and Margarito Teposte.

Wherefore, your memorialist respectfully prays the honorable commission to award in his favor, against the Government of the United States of America, the sum of $65,550, gold, amount of injuries and damages done to him by the authorities thereof, and that there be awarded to him such other indemnification as by law and equity he may be entitled to in the premises.

PEDRO TAUNS,
By his attorney in fact, JAMES B. SIMPSON.

E. W. RICE, *Solicitor.*

CITY OF WASHINGTON, *District of Columbia, ss:*

I, James B. Simpson, solemnly swear that I am the attorney in fact of the claimant, Pedro Tauns, who is absent from the District of Columbia, and that the matters and things set forth in the foregoing memorial are true, to the best of my knowledge, information, and belief.

JAMES B. SIMPSON.

Sworn to and subscribed before me, the undersigned notary public in and for said city, this 24th day of March, A. D. 1870.

EDMUND F. BROWN,
Notary Public.

EXHIBIT A.

THE UNITED STATES OF AMERICA,

TO PEDRO TAUNS, DR.

For property destroyed and taken by the authorities thereof in Piedras Negras, State of Coahuila, Mexico:

October 18, 1855.—One house and one kitchen	$3,000 00
Groceries	1,000 00
Household furniture and decorations, and kitchen furniture and cooking-utensils	750 00
Wearing-apparel	500 00
Fifteen head of cattle	300 00
For injury caused by the loss of the use of his said property	8,000 00
For injury to his person and that of his family	52,000 00
Total amount	65,550 00

STATEMENT AND ARGUMENT FOR THE UNITED STATES.

THE CLAIM AND THE CLAIMANT.

The claimant, otherwise known as Peter Towns, is shown by the testimony of one of the witnesses on the part of the United States to be a mulatto, born in the State of Texas, and who now professes to be a citizen of the United States, and a voter in the State of Texas. It appears that he resided for some time in Mexico, and it is not improbable that he was living in Piedras Negras when that village was burned by Captains Callahan and Henry, in October, 1855.

Mr. Amos O. Strickland, whose deposition has been taken on behalf of the United States, states as follows: "I know Pedro Tauns, who is one of the claimants for the destruction of Piedras Negras. He now resides in Kinney County. He is a native of Texas. He is a mulatto, and was the servant of the late General Sam Houston. He resided some time in Mexico, but claims now to be a United States citizen, and told me at the last election how he was going to vote in Kinney County. Tauns is well known to the United States officers at Fort Clark; to Major Bacon (who was on General Sheridan's staff), of the Ninth United States Cavalry, colored. Tauns has been working lately as a mason in the employ of the government at Fort Clark, and for the last year or so has been burning lime, or has been employed in small jobs about the post; he is also a fiddler, and plays at fandangoes and for the officers when they make a party there."

This colored fiddler alleges that at the time of the destruction of Piedras Negras he was the owner of a house and kitchen in that village worth $3,000, and personal property to the amount of $2,500; that the same were destroyed and taken by the men under Callahan and Henry, and that the amount of damages sustained by him in consequence thereof was $65,550. This amount he demands from the United States, as a citizen of the Mexican Republic. We have already shown that he is not and never was a citizen of Mexico.

The testimony of Mr. Strickland, to which reference has been made, shows that if this claimant lost anything on that occasion the amount has been monstrously exaggerated, and it also directly proves that he deliberately intended to defraud the United States. Mr. Strickland says: "He told me also that he was one of the claimants for the destruction of Piedras Negras, and had made claim therefor against the Government of the United States. I asked him the amount he claimed, and he answered, '*O, I am ashamed to tell you; it is so big.*' He has never been worth $100 at any time since I have known him, and that is eight years."

These observations are sufficient to dispose of this particular claim. But inasmuch as it is our present object to direct the attention of the commissioners to the general subject of the Piedras Negras claims, particularly to the proofs taken by the United States, which show that these claims, as preferred, are the result of a criminal conspiracy to defraud the United States, and are supported by false and forged papers transmitted by these conspirators through the Mexican Government to this commission, we will proceed to present a general summary of the contents of the depositions and other proofs introduced by the agent of the United States.

The testimony shows that many of the *expedientes* filed in the office of the commission are, in whole or in part, forged documents; that persons are represented as having signed as claimants documents contained in these *expedientes*, who, it is proved, never affixed their signatures to such papers; that in numerous instances individuals are represented by written signatures as having appeared as witnesses in support of the claims

of others, who, it is shown, never subscribed the documents to which their signatures purport to be attached, and that this fraudulent work was done by persons engaged in the business of getting up the claims for presentation to this commission. We will speak more in detail hereafter of this wholesale fraud.

It is apparent, also, upon the most hasty inspection of the *expedientes* on file in the office of the Mexican secretary, that many of them have been manufactured by the same hand or hands. It needs no expert in handwriting to prove that numerous signatures of different persons have been made by the same hand, and the sworn testimony on the part of the United States clearly shows that this is undoubtedly the fact.

Under these circumstances it will be for the commissioners to determine whether any of the *expedientes* filed on the part of the claimants are justly entitled to be received as evidence to support the claims, or whether the whole body of them should not be thrown out of the cases altogether, and the claims dismissed for want of proof.

THE TRANSACTION AT PIEDRAS NEGRAS.

These claims, some one hundred and ninety-three in number, arise out of the burning of the village of Piedras Negras by a number of mounted volunteer troops, organized under the authority and in the exclusive service of the State of Texas, and commanded by Captains Callahan and Henry, on the 5th of October, 1855. These troops, as it appears, had been mustered into the service of the State* by the governor of Texas, in the month of July, 1855, to serve for three months, unless sooner discharged, for the purpose of protecting the frontier settlements against hostile incursions of the Indian. On the night of the 1st of October a portion of them, together with a number of citizens of Texas from Hays, Guadalupe, Bexar, and other counties, crossed the Rio Grande several miles from Fort Duncan, without the knowledge, approbation, or assistance of the military authorities of the United States, ostensibly for the purpose of following and chastising a band of Lipan Indians from the west side of the river, who had previously committed, as was alleged, depredations on the settlements in Texas. The Texans were resisted, as it would seem, by Indians and Mexicans, and in the progress of the affair they occupied the Mexican village of Piedras Negras.

On the 5th they set fire to the town, and a number of houses, or rather huts, belonging to the inhabitants, were burned. It is probable that other property was destroyed, and perhaps some articles were carried away by the Texans. The actual extent of the loss sustained by the inhabitants will be stated more particularly hereafter.

The circumstances under which this expedition into the territory of Mexico took place may be ascertained, so far as they are now discoverable, from the public documents filed in evidence, consisting of papers in the possession of the State of Texas, and the military and diplomatic correspondence in the possession of the War and State Departments of this government.

It is to be regretted that the affair was not subjected, at the time it occurred, when the recollection of witnesses was fresh, to a thorough and searching investigation. An effort was made by the Mexican authorities to prove that the commander of the United States troops at Fort Duncan connived at this invasion of Mexican territory, and after the Texan volunteers were driven back by the Mexican forces rendered them active assistance. On the other hand, the then Secretary of State, Mr. Marcy, in correspondence with the Mexican minister, took the ground that the Texans had been in fact invited across the river by competent Mexican authority in order to aid the Mexicans in chastising the Lipan Indians, who had committed robberies and murders in Texas; that they had been treacherously led into an ambuscade of an overwhelming hostile force of Mexicans and Indians; and that therefore they were justified in adopting any measure which would tend to secure their safe retreat to the other side.

A candid consideration, however, of the contemporary documents will show beyond all doubt of controversy that the imputation against the commanding officer at Fort Duncan was wholly without foundation, as that officer neither connived at the original invasion nor rendered the party afterward any assistance in carrying on the hostilities in which they had become involved. The Texan volunteers crossed the river during the night, about two miles below Fort Duncan, without the knowledge or consent of Captain Burbank. When that officer found that something in the nature of a battle was transpiring on the other side, he so disposed of some of his artillery as to prevent any violation of American territory, as he had the right and it was his duty to do. And when he was informed by Callahan, after the place had been fired, that his men were deserting him and he was not able to resist the Mexicans, he replied that they had deliberately determined to make a stand against the Mexican forces, and that after what had transpired the Texans must abide by their determination.

The correspondence also shows that as soon as the military commander of the depart-

* The War Department possesses nothing to show that Henry's company was actually recognized by the governor of Texas in 1855. It was mustered out, not by order of the governor, but by order of Callahan.—T. H. B.

ment, General Persifor F. Smith, was advised of what had occurred, he took all proper measures, under the direction of the government at Washington, to prevent any further violations of the neutrality laws of the United States.

There can be no doubt that the authorities of the United States were free from blame in this transaction. It was an affair of the State of Texas and Texan volunteers and citizens; it was no affair of the national government or any of its proper authorities.

The theory advanced by the Secretary of State, in correspondence with Mr. Almonte, that Callahan crossed the river upon the invitation and with the assistance of the Mexican alcalde or other authority, and upon assurances of the aid of the Mexican officers in pursuing the Indians, appears to have been founded upon the report of Callahan to the governor of Texas, in which that statement would seem to have been made. This report, however, cannot now be found and was probably destroyed or mislaid during the confusion of the recent rebellion in Texas. (See letter of the secretary of state of Texas to Mr. Ashton, May 10, 1870.)

A darker shade seems to have been given to the transaction by the suggestion that this inroad into Mexican territory was undertaken for the recapture of fugitive slaves. Whether this was the object of these men, or the real object of the expedition was in good faith to inflict chastisement upon Indian robbers and murderers who had taken shelter on Mexican soil, it may be, perhaps, difficult at this day to ascertain with positive certainty. But whatever was the real object or motive of these men, and whether they crossed into Mexico with or without the consent of the authorities, their act of setting fire to the town of Piedras Negras, we are bound to say, was without justification or valid excuse.

The question, however, of the responsibility of the Government of the United States for the destruction of this village is another matter. That these men were not in the military service of the United States is admitted. They were purely and simply a part of the militia of the State of Texas. We have already said that the United States military authorities have no knowledge or notice of this intended expedition into Mexico; that they were not apprised of the fact that the Texans had crossed the river until after their forces were on the other side; that the military commander at Fort Duncan rendered them no assistance in the beginning, and afforded them no aid in the progress or at the end of the affair; and that he denounced, in proper terms, their act in occupying and destroying the Mexican village.

It is, indeed, abundantly clear that the Government of the United States neither by *sufferance* nor *reception* (*patientia aut receptu*), to use the words of Grotius, knowingly aided or abetted the invasion or the subsequent acts of the Texas militia. And under these circumstances no responsibility can be held to attach to the United States for the injuries sustained by the inhabitants of Piedras Negras, unless it should be determined that Captains Callahan and Henry, officers of the State of Texas in command of this militia force, organized under the authority of the State, were within the legal designation of "authorities of the United States," in the sense and meaning of the treaty of July 4, 1868.

We have thus presented a brief outline of the facts of the transaction at Piedras Negras in 1855, and stated the only ground upon which any liability therefor can be imputed to the Government of the United States. We now proceed to show, independently of any legal ground of objection to the recovery of those claims arising out of the character of the parties inflicting the injury, the claimants have, by their own acts of fraudulent exaggeration of their losses and damages, and presenting through their agents, or otherwise, false and forged papers in support of their reclamations, placed their claims in such a position as to be without credible or trustworty proofs before this commission.

FRAUDULENT EXAGGERATION OF LOSSES AND DAMAGES.

Piedras Negras, according to the evidence introduced by the United States, was at the time in question one of the most wretched and insignificant of all the villages and small towns of the Mexican Republic. It did not contain more than five hundred souls, men, women, and children, or more than one hundred families all told. General Burbank states that it was settled after the establishment of the post of Fort Duncan, in the spring of 1849, and that the inhabitants lived mostly, if not entirely, on the small trade carried on with the troops stationed there, and such employment as was given to them from time to time by the government, as guides, muleteers, and laborers. Their houses were chiefly *jacales*, or Mexican huts, and many of them consisted of holes or cellars dug in the bank of the river, covered with thatch, without door, window, or sides. These houses were built of pickets stuck into the ground, with grass roofs, without windows or floors. The people were wretchedly poor; and, as the testimony shows, the whole village, including lots, houses, and all the personal property of the inhabitants, could have been bought in 1855 for less than $50,000.

Let us see now what the *expedientes* on file pretend to have been the amount of property, real and personal, destroyed and stolen by the Texan volunteers in October, 1855, and of the damages actually sustained by the claimants.

The property destroyed or taken is valued in these cases at $2,872,070.31, and the consequential damages alleged to have been sustained are estimated at $8,525,918.12. The reclamations thus amount in all to $11,397,988.43.

We subjoin a carefully prepared analysis of the *expedientes* on file in the office of the Mexican secretary, showing the estimated values of the several species of property alleged to have been destroyed or taken on this occasion. It presents such a case of wicked and reckless falsehood as has never before occurred in the history of international reclamations. The abstract of the *expedientes* is as follows:

Houses (287)	$234,218 00
Corn (12,415 *fanegas*)	59,774 00
Corn (3 fields)	4,140 00
Horses (298)	25,110 00
Household-furniture	121,359 00
Wearing-apparel	90,702 00
Jewelry	45,375 00
Money	29,364 31
Cattle (3,440)	26,911 00
Pigs (804)	37,300 00
Implements	24,384 00
Fencing	10,611 00
Merchandise	222,702 00
Fire-arms	3,858 00
Carts	9,422 00
Libraries	9,352 00
Claims without details	1,917,488 00
	2,872,070 31
Loss of use and damages	8,525,918 12
Total	11,397,988 43

It will be unnecessary to occupy much time or space with a detailed examination of the proofs taken by the United States for the purpose of exposing this fraud before the commission. Those proofs consist of numerous depositions of persons of respectability and credit, who were perfectly familiar with the character of this place, the condition of the inhabitants, the value of the property they possessed, and the extent of the depredations committed. The commissioners will read these proofs, and will determine that the papers filed in evidence by the claimants are absolutely and wholly discredited by the evidence introduced on the part of the United States. They will discover that the losses and damages have been exaggerated with a deliberate purpose to defraud the government against which the reclamations are presented. We shall contend that these facts, together with the actual forgery of documents which it is apparent has here been committed, are sufficient to warrant the determination that the entire mass of claims must be rejected.

We will now briefly review the substance of the testimony for the United States.

Mr. Edward T. Moore says that about forty small *jacale* houses, valued at about $40 each, were burned; that not more than $5,000 worth of property was taken from the inhabitants; and that $10,000 would amply compensate them for all damages and losses sustained.

Mr. John Newton says that the *jacales* were not worth more than $50 each.

Mr. Adolfo Duclos says that he knows from personal observation that the articles stolen by the filibusters could not have amounted in actual value to $1,000.

Mr. A. O. Strickland says that the town did not contain $50,000 worth of property, all told.

Mr. Brackenridge testifies that he made an estimate of the injury that had been caused, a few days after the act, and that he thought it could not amount to $50,000.

Mr. Lorenzo Castro states that there was only one two-story house in the town; that the inhabitants had some extra articles of clothing and jewelry; and that $50,000 or $60,000 would have paid liberally for all the damage done.

Mr. F. Groos testifies to the same effect.

Ramon Perales, a claimant, says that thirty or forty huts were burned, which might have been worth $50,000 each, and that the majority of the inhabitants did not possess more than $200, $300, or $400.

Florencio Canales testifies that the majority were poor people, who had $200, $300, or $400.

Gregorio Garza, who resided there at the time, states that the majority of the residents were very poor, and had not more than $ .00 or $400 in value of furniture or goods; he swears that the sums claimed are greatly exaggerated.

Manual Ban states that the majority of the inhabitants were day-laborers; "some had a little horse; some cows, with calves, or a little pig, or a cart to carry water."

Very few persons had cows; a cow, with a calf, was then worth $10, and a fat pig was worth about $25; but he does not recollect to have seen many fat pigs.

Adelaide Van, a claimant, says few of the inhabitants had much more than $300, and she states the value of pigs and cows.

Pedro Salazar, a claimant and resident, says that the number of stone houses did not exceed six; that the other dwellings were huts, cabins, and cellars; that he was living in an underground hut; that all the houses were not burned.

The testimony of Rafael Salinas, Jesus Loy, José Luciano de la Garza, Jesus Lamora, Thomas Martines, José Maria Carvasar, and Rafael Tijerina, as to the notorious poverty of the inhabitants and the amount of property lost by them is to the same general effect.

The American witnesses examined in Washington by the agent of the United States, viz, General Sidney Burbank, General James B. Ricketts, and Mr. Edmund W. Wallace, corroborate in their depositions, in substance and effect, all that is said by the witnesses examined in Texas and Mexico.

It thus appears that, according to the highest estimate of the value of the town, if the commissioners were to distribute among the claimants the full value of all the property, real and personal, that it contained, the aggregate amount of the awards would not exceed $50,000.

We pass now to the last but the most unpleasant feature of this class of claims. We allude to the evidence which shows that the claims have not only been fraudulently exaggerated in amounts, but that they are also supported by false documents in some cases w th the actual knowledge of the claimants, and in others, perhaps, without their direct connivance or consent.

FALSIFICATION OF THE EXPEDIENTES.

We will now, as briefly as possible, refer to the testimony which establishes the fact all ged in regard to these documents:

Ramon Perales, who is a claimant, swears that Luis Muzquiz, also a claimant and one of the persons concerned in the concoction of this fraud, came to him and advised him to present an exaggerated demand, and stated that the residents of Piedras Negras had agreed to make up their claims and to divide the proceeds with him (Muzquiz) and others who commenced the business.

Gregorio Garza testifies that the *expedientes* were made up by Luis Muzquiz and others; that Muzquiz came to his house and asked his wife the amount of his loss, and that she replied that she was not competent to state how much it was. He proceeds as follows: "Luis Muzquiz then put down the sum which he wished, and he did the same with the other residents. I never signed any *expediente* or declaration of my loss. I was never at the house of the judge, nor at the court, for the purpose of giving testimony on this subject. I believe that he did the same with the others, and that he has put down and claimed $8,000 or $10,000 in favor of persons who did not lose $100."

In another deposition the same witness states: "Luis Muzquiz never spoke to me nor any other one about this matter concerning me, nor with reference to other claimants. I know Jesus Salinas and Maximo Garcia and Arcadia Ramirez, but I never presented them as witnesses in the matter of my claim, inasmuch as I myself did not know that they were claiming an amount so exaggerated for me. Jesus Salinas lives at Eagle Pass, Maximo Garcia lives since four years on a ranch in Texas, eleven leagues from Piedras Negras, and Arcadia Ramirez lives in the little town; and in order to present them as witnesses in my claim, I would have been under the necessity of going to seek them in those places; this I never did because no one ever spoke to me about doing it. I know Antonio Montes, and Jesus Frias and Nicanor Valdes, but at no time did I make a depos tion with respect to their *expedientes* in their claims. I also know Pedro Gonzales, but neither did I make a deposition about him or about the property which he lost. It surprises me to see my name as a witness in the matters touching the claims of these parties against the United States, inasmuch as I never made and never was called to give testimony respecting them. I do not know Maria N. de la Garza, and it is not possible that I could have made a deposition of who she was or what she had. I am completely ignorant of the persons who appear as witnesses in the *expediente* which was made up for me, and it is my opinion that in these transactions many rascalities have been committed. I never knew the amount which they claimed for me, inasmuch as I never had the intention of claiming one cent more than what I lost. It is, in my opinion, very wrong to use the names of persons as witnesses without their knowledge, and I believe what was done in my case was done in many others."

Adelaide Van, another claimant, testifies that she made no deposition nor subscribed any document in respect to a claim before the judge at Piedras Negras, nor before any other authority. She implicates a person named William Stone in the fraudulent transaction, and gives a full account of an interview with that person. She also states, like Gregorio Garza, that many of the claimants were children at the time of the occurrence.

Pedro Salazar testifies that he communicated with Luis Muzquiz, and that he and his secretary, Abram Jimenez, handed him a paper to sign, telling him it was the *expediente* of his claim, but that he did not read it, and did not know what it contained.

Jesus Loy testifies that Luis Muzquiz and Mr. Coopwood were engaged in preparing claims for the residents of Piedras Negras, but that they never called on him to make depositions, and that if he appears as a witness his name has been fraudulently used. The analysis of the *expedientes* herewith presented shows that Jesus Loy appears as a witness in *five* cases.

Ramon Perales, in another deposition, swears that he was never asked to subscribe any document or *expediente*, and if Luis Muzquiz or other agent has placed his name in *expedientes*, such agent has committed a fraud by using his signature. It appears, however, that Perales is a claimant in one case, and a witness in *four* others.

There is other testimony to the same effect; and it is all corroborated by the appearance of the *expedientes*, which shows the most superficial observer that they have been manufactured by the wholesale by the getters-up of these absurd claims.

Muzquiz, the principal Mexican conspirator, claims on his own account $51,797, while the testimony is that he was extremely poor and was at one time in jail. The other parties concerned with him in the fraud unfortunately appear to be Americans.

The Government of the United States having determined to expose this fraud, a special agent was sent to Mexico, and the valuable results of his inquiries are contained in the depositions to which we have referred, and the principal parts of which we have indica ed. The proofs show beyond all doubt—

Firstly. That the claims have been grossly exaggerated, with intent to defraud the United States.

Secondly. That numerous persons appear as claimants who were either not in Piedras Negras at the time of its destruction, or were children, and owned nothing at that time.

Thirdly. That the names of claimants have been placed without their consent to representations of claims and of papers.

Fourthly. That numerous persons are represented as having signed documents as witnesses who swear that they never signed such documents or authorized their names to be signed thereto.

Fifthly. That these documents have been gotten up by and between Luis Muzquiz, William Stone, and —— Coopwood, doubtless with the assistance of the local Mexican judge.

THE PROPER DISPOSITION OF THE CLAIMS.

Upon this state of facts it will become necessary for the commissioners to determine whether or not the entire body of these Piedras Negras claims should not be rejected, on the ground of fraud practiced or attempted to be practiced against the United States in the *expedientes* on file in the office of the commission.

On behalf of the United States the undersigned contends that such disposition should be given to these claims. The proofs on file, he contends, are not entitled to be received in evidence and read in support of the claims. They are all tainted with fraud, and are vitiated thereby absolutely and entirely. The cases, therefore, stand as if they were entirely without attempted proof. They should be rejected and dismissed for want of evidence to support them.

There is an analogy in the legislation of the United States which might also be profitably considered in connection with these claims, in view of the fraud to which we have referred. We allude to that provision of the statute of March 3, 1863, concerning the Court of Claims, which declares: "That any person or persons who shall corruptly practice or attempt to practice any fraud against the United States in the proof, statement, establishment, or allowance of any claim against the United States, *ipso facto*, shall forfeit the same to the government; and it shall be the duty of the Court of Claims, in such cases, to find specifically that such fraud was practiced or attempted to be practiced, and thereupon give judgment that such claim is forfeited to the government, and that the claimant be forever barred from prosecuting the same." (12 Stats., p. 767.) This statute proceeds on the ground of forfeiture; but the special ground on which the undersigned now asks the rejection of these claims is, that the documents filed in evidence on behalf of the petitioners before this commission are shown to be utterly untrustworthy, and therefore inadmissible as proof in support of the reclamations.

If, however, contrary to the view now presented, the commissioners determine to make awards in any cases, it will be necessary to determine who among all these claimants there is just reason to believe were Mexican citizens residing in the place and were owners of property, or subjected to injury, at the time of the occurrence, and to estimate the damages according to the effect of the evidence introduced by the United States. Under this rule of decision the number of cases in which awards can be made will be extremely limited, and the amount of the awards will be exceedingly small. In no possible contingency, however, will the commissioners be entitled upon these proofs to award in the aggregate a greater amount than $50,000. If they should

believe that every house in the town was burned, and every dollar's worth o property destroyed and carried away, and that every individual here appearing wa an actual sufferer, and is entitled to appear as a claimant against the United State the above amount is the largest which could possibly be distributed as awards amou these claimants.

In the confident belief, however, that sufficient has been shown to justify th commissioners in rejecting the entire body of claims, the foregoing observations ar submitted for their consideration.

The undersigned prints herewith the depositions taken on behalf of the Unite States. He also submits, in connection with this argument, a manuscript volum containing a full list of the claimants and of the witnesses, whose names are attache to the *expedientes*, and also a complete abstract of the claims, giving schedules an amounts of all the property for the alleged loss of which indemnity is claime together with observations upon each claim which will aid the commissioners i appreciating the full extent of the fraud here attempted.

This book has been carefully prepared by a skillful hand, with a view to facilita the investigation of these cases.

J. HUBLEY ASHTON,
Counsel of the United States.

DEPOSITIONS TAKEN ON THE PART OF THE UNITED STATES.

Deposition of James B. Ricketts, Major-General, United States Army (retired).

The deponent, being duly sworn, says: In the summer and fall of 1855, I was captain of artillery in the Army of the United States, and was stationed at Fo Duncan, in Texas, situated on the east side of the Rio Grande, nearly opposite to th town or village of Piedras Negras, in Mexico. While stationed there I frequentl visited Piedras Negras, and had a fair opportunity of acquiring some knowledge o the country in the neighborhood, and of the resources, business, and loss sustaine from its invasion by a party of armed Texans in October, 1855. The town or villag of Piedras Negras contained at that time not more than eight hundred persons, an was situated about one mile from Fort Duncan. They were very poor, being principally a fluctuating population of Mexican herders and carriers, with their families, who resided in huts built of adobe, covered with a coarse grass, with earthed floors. There were about one hundred of these huts, and probably ten others with gravel roofs. There was but one two-story brick house, the property of a man named Rich, which was not molested, and was the principal place of business. There was considerable transit trade in raw cotton and bonded goods from the United States; corn, hides, lead, wool, and brood-mares to the United States, the freight mainly carried on ox-carts. The country was unproductive and without cultivation. The Texans remained about twenty-four hours, barricading the streets with ox-carts, and setting fire to these grass-covered huts, which were easily consumed, with a number of ox-carts, besides destroying all they could belonging to the defenseless people, after which they recrossed to the Texas side of the river in a panic, using the flat-boats and skiffs, and in such haste that their own horses were abandoned until they could subsequently return for them. I am of the opinion that no heavy articles were carried away, and it is impossible for me to state the value of any property stolen or destroyed, beyond the fact that the impoverished condition of the inhabitants, their insufficient clothing and scanty subsistence, prove the impossibility of their being pillaged to any large amount.

JAMES B. RICKETTS,
Major-General, United States Army (retired).

Deposition of Sidney Burbank, Brevet Brigadier-General, United States Army (retired).

The deponent, being duly sworn, deposes and says: I was a captain in the Army of the United States in October, 1855, and was stationed at Fort Duncan, Texas, and in command at that post. I had a fair opportunity of knowing something of the population and business of the people, and could very well judge of their wealth or poverty. Fort Duncan was established in the spring of 1849, at which time there were no inhabitants on either side of the river, up or down, for a great number of miles. The town of Piedras Negras, situated directly opposite Fort Duncan, was settled and grew up after the establishment of that post. The inhabitants were very poor, and lived mostly, if not entirely, from the small trade carried on with the troops stationed

at Fort Duncan and the dependents thereon, and such employment as was given them from time to time by the government as guides, muleteers, and laborers. Occasionally there were Mexican troops stationed at Piedras Negras, but it was not a regular garrisoned place, and the inhabitants could receive but little support from this source. In October, 1855, I should judge the number of inhabitants to be about five hundred, men, women, and children. The houses, huts, or dwellings of the inhabitants were of the cheapest construction, built of adobes or upright poles and thatched with grass; in some cases the dwellings were caves or excavations in the banks of the river, and these dwellings were furnished in a manner equally plain and cheap. In my opinion, these houses or huts could not cost, on an average, more than $50, and the furnishing could not exceed that amount. There were, to the best of my knowledge and belief, from eighty to one hundred of these huts or houses burned by the Texans on the 6th of October, 1855, and the entire and total damage caused by the conflagration would not exceed, in my estimation, $10,000.

S. BURBANK,
Brevet Brigadier-General, United States Army.

Deposition of Edmund W. Wallace.

The deponent, being duly sworn, says: That he is an American citizen by birth, is forty years of age, and is residing at Georgetown, District of Columbia. That in 1850 he sojourned at Fort Duncan, where he was in business in connection with his brother, who was sutler to the post; that he remained so in business until 1853, when he was appointed deputy collector of customs at Eagle Pass, Tex., directly opposite Piedras Negras, by Mr. Guthrie, the Secretary of the United States Treasury. He remained such collector, discharging the duties of his office, until March, 1861. His business office was in Fort Duncan, contiguous to Eagle Pass. His business and residence afforded him fair opportunities of becoming very well acquainted with the town of Piedras Negras, he having almost daily intercourse with it, and becoming acquainted with very many of the inhabitants, their occupations, and pursuits. He was in that town when it was burned by the troops under the command of Captains Callahan and Henry, who were said to be in the service of the State of Texas. He estimates the number of the inhabitants of Piedras Negras at the time of the burning, including men, women, and children, at about eight hundred souls, and they were generally very poor indeed. Some of them, perhaps a majority of the heads of families, were owners of small lots of cattle, which were allowed to graze during the day-time in the neighborhood, and which were brought up to the village at night for protection against the Indians. Some of them were owners of carts and ox-teams, and were engaged in freighting between San Antonio and Eagle Pass. Some of them were little shop-keepers, having a meager supply of miserable Malaga wine, mescal, cigarritos, and other little articles. Some few, also, had Mexican blankets for sale. There were four stores, and he can remember no more, which had a better supply of goods—one managed by Mr. Rich, one by Mr. Duclos, one by Mr. Oswald, and one by Mr. Stone. He thinks that the supply of goods which these four stores may have had on hand at the time of the burning could not have exceeded in value $100,000 in the aggregate, and he does not know that the value was as great. The goods in the little shops and stores could not, in his opinion, have exceeded in value $75,000. The retail trade of the town of Piedras Negras was mostly carried on across the river at Eagle Pass, the inhabitants buying there their coffee, sugar, calicoes, and other dress-goods, and no considerable stock of goods was kept at Piedras Negras. The houses in Piedras Negras were mostly small, built of adobe, and thatched with a species of country grass or straw. The military barracks on the *plaza* were covered with a kind of concrete roof. There was one brick house in town belonging to Mr. Rich. There were no frame or wooden houses in the town. The houses were generally without floors, and were worth generally, on an average, about $400 apiece. The deponent built an adobe house at Fort Duncan for his use, better than the average of houses in Piedras Negras, at a cost of $500; the labor employed was Mexican. The furniture of the houses was meager in quantity and very primitive in character. He thinks, on an average, the furniture to each house was not worth over $100, including the whole, beds, bedding, &c. Their little gardens about in the village produced very little; some little cultivation was carried on out of town in the neighborhood. The Mexicans are generally fond of jewelry, but the inhabitants of Piedras Negras were so poor that the quantity in that town was inconsiderable. It was very uncommon to find a watch among the inhabitants. The food of the inhabitants consisted of tortillas, jerked beef, and peppers. The corn they ground by hand-mills. Thirty bushels of corn on hand at the time of the burning is a reasonable estimate for each family, and, calculating about six persons in each family, there were about one hundred and thirty-three families. The price of

corn was from $1 to $1.25 per bushel. There was a considerable number of ox-carts i the town, of very simple and primitive character, the wheel being generally compose of one piece. There were a few modern carts, with hubs, spokes, and iron tires. Th deponent thinks it likely that a number, perhaps thirty or forty, of these were burne as he saw them piled together in the form of a barricade. They were worth on a average about $40 apiece. The Callahan troops did not carry off any carts, oxen, cow or other animals, and he does not think any considerable number of these could hav been lost by the occupation and burning of the town by Callahan. It is possible som few may have stampeded and strayed off, but deponent thinks not many.

The deponent says that he was messing with the officers at Fort Duncan at the tim the burning took place, and he knows that no officer or soldier of that post participate therein or sanctioned it in any manner. Himself and Dr. Wood were in Piedra Negras, from curiosity, in the afternoon of the day that the town was fired. As soo as they discovered that the town was being fired, they immediately crossed the rive to the American side. The town of Piedras Negras was not compactly built, but scat tered over an area of about a quarter of a mile square. The brick house referred t was not burned.

The deponent resided at Fort Duncan twelve years, and knew the people of Piedra Negras very well.

The deponent says he has no interest in any claim before the commission.

EDMUND W. WALLACE.

[Translation.]

STATE OF TEXAS, *Maverick County, ss:*

Deposition of Manuel Ban, of Eagle Pass, Texas, taken on behalf of the United States and intended to be used before the joint commission between the United States and Mexico in the matter of various claims now pending before that said commission.

The said MANUEL BAN, being first duly sworn, deposes and says: I was born in the State of Arkansas. in the Unit d States of the North; I am an American citizen and resident of Eagle Pass; thirty-nine years of age, and a carpenter by occupation. I am well acquainted with Piedras Negras since the year 1851. Since the 24th of June 1855, I have lived in Eagle Pass, and during the time before and after the destruction of Piedras Negras by Texas volunteers, under the orders of Callahan and Henry, my business, as agent of one of the business houses of Eagle Pass, obliged me to go every day, and even five times a day, to Piedras Negras. I was acquainted with almost every house and cabin in Piedras Negras, and also the greater part of the inhabitants. At the time of the burning by the aforesaid Texans, it did not have more than three or four hundred houses. Juan José Patiño had a house about ten *varas* (yards) long and four and a half wide; José Ma. Flores had a house in dimensions a little more or less than that of Patiño; Doña Isabel Miñan also had a house, and besides these three houses it had houses which were the quarters of troops, and in one of these Captain Saiz, the husband of Doña Onofre Villareal, lived, and when the burning took place Captain Saiz was not in the town, and Doña Onofre Villareal alone in the house. Besides the houses mentioned, the dwellings consisted of huts, cabins, and straw-thatched huts, the number of which did not exceed one hundred and twenty-five; it only had three streets. The inhabitants in general were excessively poor, with the exception of eight or ten persons who had means of living. One of these was Jesus Maria de la Garza; he had a little shop, and, estimating in all conscience the goods, their value did not exceed $3,000; and it was the only store which had supplies. The capital of the other rich people did not exceed from $800 to $1,000. Almost all these had a little bar-room, but they did not have supplies of the goods in which they traded, and they always crossed to Eagle Pass to buy their liquors by a gallon at a time. The majority of the other inhabitants were day-laborers, and who before were soldiers, and I did not know that they had any property besides their labor; some had a little horse, some cows with calves, or a little pig, or a cart to carry water. The dwellings were of a very inferior kind, and the construction of the greater part of them could not have exceeded $100 in cost; they were of mesquite posts, and covered with hay or straw. The material for the construction of cabins was then very close to the town. The furniture of the house was little and of very slight cost; the richest, including their furniture and the ornaments of their houses, were not worth above $400. The houses of Doña Isabel Miñan, of Doña Onofre Villareal, of Pedro Lechupia, husband of Doña Dolores Salinas, were the houses best furnished and adorned, but the value of the furniture and adornments could not have exceeded $400. In each hut lived one family, but as every day new emigrants arrived, it might have been that in one or other hut families lived in a crowded state. The number of horses was not large, and the best was not worth above $80, and the majority of them were

rorth from $15 to $20 each, because they belonged to poor men, who did not have the means to keep a good horse. I believe that all the inhabitants of Piedras Negras together did not lose more than twenty-five horses. I saw the Texans when they passed from Texas to Mexico, and I saw them all well mounted, and I also saw them when they returned from Piedras Negras, and I believe that the Texans left as many of their own horses in Piedras Negras as they carried away from the inhabitants of Piedras Negras. Very few persons had cows, and a cow with calf was then worth $10. I do not recollect to have seen many fat pigs; a fat pig was worth at that time as much as $25, and I have never seen a fat pig which was worth more at any time before or after, nor have I known of a case where more than $25 was asked for a pig. The persons who had jewelry were few, and all who had wore it, and they had time to hide it before the Texans commenced to rob and burn the houses. From the moment that the Texans crossed to the Mexican bank (side) the families in Piedras Negras began to go out, leaving everything of value, and this flight (emigration) lasted until the volunteers returned after four or five days, when they commenced to rob and burn the houses, and I believe that the inhabitants removed everything which they had of value out of the city, inasmuch as they had time sufficient to do it. The day before the burning of Piedras Negras I went into the majority of the houses, and for this (reason) I know very well what was their situation; I myself assisted families to cross to the American side. The inhabitants in general were very poor; the persons who had more than $300 were very few and very famous. I was acquainted with Mariana Juana Hernandez; she had a few little bottles and some sweetmeats and a little soap; she was a working (laboring) woman, and had a little cabin, joined to a straw-thatched hut, worth $100. The wines and other merchantable effects did not exceed $70 in value.

I am acquainted with, and was acquainted with, Lorenzo Guevara; he was very poor; he had a cabin, half above and half under ground; he had nothing, and lived with his mother. I was acquainted with Juan José Patiño; he was poor, and he did not have more than one house, the same which he still has; and I only knew him as a day-laborer, and sometimes he was engaged in the courts and other employments; in the event of his owning carts and property he had them outside. I am acquainted with Santos Loy; he was a soldier, and very poor—a laborer who worked from day to day for a living. I am acquainted with Guadalupe Ramos; he was very poor, and burdened with a family; he lived in a straw-thatched cabin, where he had eight or ten bottles of wine, and he gave balls to support himself in a very straightened way. I am acquainted with Francisco Gonzalez; he was a very poor day laborer; he did not have property of any kind; he worked on the river to support himself. I am acquainted with Melchora Zimenez; she was very poor, and nothing but her labor with which to support herself; her son Francisco Quiritero lived with her, who was under age, and who had no property separated from his mother. I am acquainted with Geronimo Gonzalez; he was very poor; he had a few little carts, with which he supported himself. I am acquainted with Pablo Valadez; he was very poor; he labored with his sons covering cabins in order to support himself; there lived with him his sons, who were under age, Nicanor and Silverio, who did not have and do not yet have any property separate from their father. I am acquainted with Simon Ramirez; he was a very poor laborer. I am acquainted with Angel Yturriaga; he was an ex-soldier, very poor, and was a servant in the houses of different persons; he worked very little, because he was almost always drunk. I likewise am acquainted with Secundino Barbosa; he was a retired soldier, very poor, a little drunkard, and all his property was an ass. I am acquainted with Manuel Rodrigues; he had a little shop (cabaret), with a few little bottles, and by this he supported himself. I am acquainted with José Ma. Carbajal, who was in the same condition as Barbosa; he was an ex-soldier, and a drunkard. I am acquainted with Victor Gonzalez; he was a silversmith, but he did not have any independent place of business; he was very poor. I do not remember to have seen Gregorio Gonzalez at that time, and I believe he was not in Piedras Negras. I was acquainted with Julian Rodriguez before and after the burning of Piedras Negras, but I never knew of his living in Piedras Negras before the year 1862. I am acquainted with Antonio Montez; he was very poor; he had a few little bottles, and played the violin. I am acquainted with Jesus Losoya, but he did not live in Piedras Negras. I am acquainted with Juan N. Lopez; he had some cows, and sold milk; he was poor, and worked wherever they engaged him; in this way he was supported. I was acquainted with Mariano Aguirre for a long time, and at the time of the burning he was not more than thirteen years of age, and never had any property except the clothing which he wore. I am acquainted with Luis Muzquiz; he had nothing else in this world but the pen with which he wrote lies. I am acquainted with Cervero Barrara; he lived with his mother, Doña Isabel Miñan; he had little cows, carts, horses, the property of his mother, under his management; she, moreover, had a little shop (cabaret), and was one of the richest. I am acquainted with Pedro Gonzalez; he had no more capital than his carts and little cows, with which he supported himself; he lived in a cabin, but this cabin was not burned, because I saw it afterward. I am acquainted with Juan Cáceres; he was very poor; he worked on halves in a boat (ferry) in order to

maintain himself. I am acquainted with Anastasio Gonzalez; he was very poor, and a robber; I did not know that he had any other occupation except to rob, and by this means he supported himself; a few days before the fire he stole stock from the American camp. I am acquainted with Severo de la Luna; he was poor, a day-laborer. I am acquainted with José Ma. Rodriguez; he was very poor; I never knew that he had any property; he was a day-laborer, and a very good worker. I was acquainted with Domingo San Miguel; he had nothing more than the little ornaments of his house, which did not exceed $400 in value. I am acquainted with Jesus Salinas; he lived in a sufficiently dilapidated cabin; he had nothing more than some carts which he had bought, and these carts were absent on a journey at the time of the fire. I am acquainted with Maria Delila Tauns, and her claim ought to be the same which Domingo San Miguel claims, with whom she lived at that time as wife. I am acquainted with Jesus Ma. Herrera; he was poor, working in a foundery. I am acquainted with Dyonisio Gonzalez; he is the father of Francisco Gonzalez; he was very poor, a day-laborer. I always knew José Jimenez was a very poor devil. I am acquainted with Adelaide Ban; she is my sister; she was a widow, engaged in washing and ironing, and made clothing in order to support herself; and her loss did not exceed $200, and I am convinced that she never intended to claim a cent more than what she lost. I am acquainted with Miguel Patiño; he had carts with which he supported himself, and I think at the time of the fire he was on a journey with the carts. I am acquainted with Catarino Rios; he was poor, working for me as a wagoner on the very day of the fire, when he asked leave to cross to Piedras Negras to see his house. I am acquainted with Leonardo Rodriguez; he was very poor, and worked by the day in order to support himself. I am acquainted with Gabriel G. Cordero; he was a poor man, a card-player. I am acquainted with Julian Ortiz, who is now a guard; and if he is the same who presents a claim for losses caused by the burning of Piedras Negras, I say that he never lived in Piedras Negras at that time; he was a resident of San Juan de Allende. I am acquainted with Jacinto Rodriguez; he is a card-player by profession, and never had anything. I am acquainted with Vidala de la Cerda; he was poor; had fifteen or twenty bottles of wine, and made bread; with this he supported himself. I am acquainted with Eleno Rodriguez; he is the son of Ramon Rodriguez; he lived with his father, and did not have any property whatever separate from his father. I am acquainted with Manuel Perea; he was employed as clerk in the business of Jesus de la Garza. If José Ma. Parez, who presents claims, is the one who was a guard, and lives to-day in the little town (the town of Fuentes), I say that he came a long time after the destruction to live in Piedras Negras; he was (then) a resident of San Juan Allende. I am acquainted with Maria Telesfora Sosa; she is the wife of Geronimo Gonzalez, and she could not have sustained losses apart from her husband. I am acquainted with Blas Palos; he was as poor as Lorenzo Guevarra, with whom he was brought up, in the same house, and he was not at that time above fifteen years of age. I believe that the values which claimants have put in their *expedientes* are ridiculously exaggerated, and I believe that everything that existed in Piedras Negras, together with all the land on which the town was built, could have been bought at that time for $100,000.

MANUEL BAN.

(Here follows, in English, the certificate, under seal, of Albert Türpe, notary public of Maverick County, Texas.)

STATE OF TEXAS, *Maverick County, ss:*

Deposition of William Schuchardt, of Piedras Negras, taken on behalf of the United States, and intended to be used before the joint commission between the United States and Mexico, in the matter of various claims now pending before the said commission.

The said WILLIAM SCHUCHARDT, being first duly sworn, deposes and says: I am a citizen of the United States, a resident of Piedras Negras, forty years of age, and commercial agent of the United States at Piedras Negras, Mexico. I am well acquainted with Manuel Ban, of Eagle Pass, Tex., who has signed and sworn to a deposition taken before Albert Türpe, on the 6th day of March, 1871. The said Manuel Ban is entirely worthy of credit, and his statements are to be believed. His general reputation for truth and veracity is very good.

WILLIAM SCHUCHARDT.

(Translated by A. P. M., Washington, May 31, 1871.)

[Translation.]

STATE OF TEXAS, *Maverick County:*

Deposition of Gregorio Garza, of Piedras Negras, Mexico, taken onbehalf of the United States, and intended to be used before the joint commission between the United States and Mexico, in the matter of various claims now pending before the said commission.

The said GREGORIO GARZA, being first duly sworn, deposes and says: I am a citizen of Mexico and resident of Piedras Negras, in the district of Rio Grande, State of Coahuila, forty-six years of age, and a laborer by occupation. I know Antonio Montez, and Pedro Gonzalez, and Jesus Frias, and Nicanor Valadez; I do not know Maria N. de la Garza, and I do not recollect having known her at that time. I was a resident of Piedras Negras at the time that this town was destroyed by volunteers under the orders of Callahan and Henry, and I was at that time in the town. I know many of the residents who at that time lived in Piedras Negras, who have presented claims against the United States of the North for losses which they sustained by the destruction of the town of Piedras Negras at that time. At the time the *expedientes* of claimants were made up I was absent from Piedras Negras, and on my return my wife informed me that Luis Muzquiz had talked with her about making up an *expediente* touching the loss which I had suffered by the destruction of my property when the volunteers robbed and burned the houses; but Luis Muzquiz never spoke to me, nor any other one, about this matter concerning me, nor with reference to other claimants. I know Jesus Salinas and Maximo Garcia, and Arcadio Ramirez, but I never presented them as witnesses in the matter of my claim, inasmuch as I myself did not know that they were claiming an amount so exaggerated for me. Jesus Salinas lives at Eagle Pass; Maximo Garcia lives, since four years, on a ranch in Texas, eleven leagues from Piedras Negras, and Arcadio Ramirez lives in the little town; and in order to present them as witnesses in my claim, I would have been under the necessity of going to seek them in those places; this I never did, because no one ever spoke to me about doing it. I know Antonio Montez, and Jesus Frias, and Nicanor Valdes; but at no time did I make a deposition with respect to their *expedientes* in their claims. I also know Pedro Gonzalez, but neither did I make a deposition about him or about the property which he lost. It surprises me to see my name as a witness in the matters touching the claims of these parties against the United States, inasmuch as I never made and never was called to give testimony respecting them. I do not know Maria N. de la Garza, and it is not possible that I could have made a deposition of who she was or what she had. I am completely ignorant of the persons who appear as witnesses in the *expediente* which was made up for me, and it is my opinion that in these transactions many rascalities have been committed. I never knew the amount which they claimed for me, inasmuch as I never had the intention of claiming one cent more than what I lost. It is, in my opinion, very wrong to use the names of persons as witnesses without their knowledge, and I believe what was done in my case was done in many others. I am informed that some persons, such as Eleno Rodrignez, Arcadio Ramirez, Miguel Villareal, and others also present claims, and at the same time their fathers claim very large sums. Eleno Rodriguez lived with his father, Ramon Rodriguez, and he was a boy—just as Arcadio Ramirez and Miguel Villareal were children—and did not have any separate property at that time. I know Rafael Flores; he was a soldier; had two cabins; I lived opposite to him in the one in which Ma. Ramona Muzquiz now lives; and Rafael Flores lived where I now live. As Rafael Flores was a soldier, he was out of the town when Piedras Negras was destroyed by the Texans. The wife of Rafael Flores was sick in bed at that time, and she was not able to move. I know very well that her cabin was not burned, and none of his property was taken, because he had nothing of value. In a few days the wife of Rafael Flores died, and then he sold me his property, which consisted of two cabins and a lot, the two cabins being the same which he had before the fire. After the wife of Rafael Flores died he withdrew from Piedras Negras, and never returned; and I wonder where Luis Muzquiz seized (found) him in order to make him a claimant.

his
GREGORIO + GARZA.
mark.

Witness: WM. SCHUCHARDT.

STATE OF TEXAS, *Maverick County:*

(Here follows, in English, the certificate, under seal, of Albert Türpe, notary public, Maverick County Texas.)

(Translated by A. P. M., Washington, May 19, 1871.)

[Translation.]

STATE OF TEXAS, *Maverick County, ss:*

Deposition of Adelaida Van, of Eagle Pass., Tex, taken on behalf of the United States, and intended to be used before the joint commission between the United States and Mexico in the matter of various claims now pending before the said commission.

The said ADELAIDA VAN, being first duly sworn, deposes and says: I was born in the State of Georgia, in the United States of North America, and I am now a resident of Eagle Pass, Tex.; my occupation is that of seamstress, and I am forty-three years of age. I am well acquainted with Piedras Negras, and I was well acquainted with it before its destruction by fire by the Texans, who entered Piedras Negras, under the orders of Callahan and Henry, in the year 1855. At that time the town of Piedras Negras was recently settled, and its appearance was poor, and the inhabitants was likewise poor. The dwellings which it contained were cabins, badly dilapidated little houses (*malanquitos*), straw-thatched huts (*chamacueros*), and underground abodes (*soterraneos*). The furniture and adornments of the houses which the inhabitants had at that time were very few and of an inferior kind, and their cost very little. Some had a few pieces of jewelry, but in general there was not much jewelry among the people. The construction of a hut now costs from $30 to $40; but at that time it cost much less, the timber and grass being very near the town, while to-day it must be brought very much farther. There were few horses and cows in the town, neither were there many pigs. The price of a cow with a calf, of good quality, was at that time from $12 to $13, inasmuch as at this price I bought many for the officers of the American camp, who intrusted me with this commission. The very fattest pigs did not exceed $25 in value, and pigs which were worth as much as this were very few. At no time was a pig of the best quality worth above $25. I believe that few of the inhabitants had as much as $300, because they were poor, and what they had was of little value; it contained many inhabitants who did not have a hundred dollars. I am acquainted with Pablo Valades; he had cabins and carts and oxen, and was engaged, together with his sons, in making cabins; and he was poor. I am acquainted with José Ma. Carbajal; he was a servant of Captain Saiz; and I did not know he had any property. I am acquainted with Victor Gonzalez; he is a silversmith, and did not have anything. I am acquainted with Juana Longoria; she was poor; she had a cabin. I am acquainted with Dolores Salinas; she had good household furniture, but with the exception of these she was very poor. I did not know that Julian Rodriguez had any property whatever. I am acquainted with Antonio Mantez; he was a music-teacher, and supported himself by his occupation; he was poor. I am acquainted with Mariano Aguierre, but he did not have anything. I am acquainted with Jesus Almendares; he was poor; he did not have anything. I am acquainted with Juan Caceres; he was very young and a boatman; he was very poor. I am acquainted with Anastasio Gonzalez; he was poor; he had four children, and never had anything to give them to eat. I am acquainted with José Ma. Rodriguez; he was a servant and had nothing. I am acquainted with Domingo San Miguel; he was a servant, and he had no property but his house and arms. I am acquainted with Cecilio Vara: he was a poor workman; he made cabins. I am acquainted with Casper Salazar; he was my neighbor; he lived in a hut; he was poor. I am acquainted with Vicente de los Santos; he was a soldier; I did not know that he had any property except his horse and arms. I am acquainted with Dionicio Gonzalez; he lived with his father, and was poor. Jose Jimenez was a boatman and did not have anything. I am acquainted with Rafael Zepeda; he was very poor; the little that he possessed he had lost in a fire before the place was burned by the Texans. I am acquainted with Isabel Galindo; she was a widow, and very poor. I am acquainted with Jesus Pineda, bricklayer; he had cabins and worked at his trade, and by it made his living. I am acquainted with Leonardo Rodriguez; he was very poor. I am acquainted with Gabriel G. Cordero; he was very poor. I am acquainted with Maria del Pilar Galindo; she was a single woman, who had no house, and was very poor. I am acquainted with *Jesus Frias*: he was a soldier; I did not know that he had any property at all. I am acquainted with Jacinto Rodriguez, gambler; he did not have anything in Piedras Negras; he came and went. I am acquainted with Maria Ygnacia Mesa; she *was a poor* woman. I am acquainted with Eleno Rodriguez; he was the son of Ramon Rodriguez, and was very small at that time, and did not have any property. I am acquainted with Manuel Perea; he was a clerk of Jesus de la Garza; he lived *with his* father, Ignacio Perea, and Manuel did not have any property separate from him. I am acquainted with Maria Refugio Garcia, but she did not live in Piedras Negras at that time. I am acquainted with Guadalupe Perez; he had a hut and was *poor*. I am acquainted with Blas Palos; he was a little fellow and had nothing. I am also a claimant for losses which I suffered by the robbery and fire of the Texans, and my losses altogether cannot exceed the value of $400; and this sum will pay for the *losses* which I sustained. I have not made a deposition nor have I subscribed a document with respect to a claim before the judge of Piedras Negras, nor before any other

authority. They informed me that I ought to present a claim for the losses which I suffered by the burning of Piedras Negras by the Texans, because the Government of the United States was going to pay us for what we lost; and in a short time Mr. William Stone sent for me. When I went to see him he told me that the government was going to pay, and that I would lose nothing by making the attempt. I was telling him all that I had lost, but it appearad to him very little, and he wished to make it more, but to this I did not agree. He told me it was necessary to place it at a high figure in order that they should give us some, and in order that there would result some to pay him for his labor, and we would divide (or go halves), he and I. He wrote a document, but did not read it to me; he told me it was the value of what I had lost, and then I took the pen with which he subscribed the document, believing that he had put down what I had indicated. This document is the only paper which I have signed concerning my claim, and no authority or notary public was present. I appointed William Stone my attorney to receive any money whatever, and to take the steps desirable for the success of my claim. I did not subscribe this power. When he made up the document of my claim he told me I must return to sign it, but he never sent for me; I believe that he saw that the business did not please me. I seems to me that all the claims are ridiculously exaggerated.

her
ADELAIDA + VAN.
mark.

(Here follows, in English, the certificate, under seal, of the notary public, Albert Türpe, of Maverick County, Texas.)

STATE OF TEXAS, *Maverick County, ss:*

Deposition of William Schuchardt, of Piedras Negras, Mexico, taken on behalf of the United States, and intended to be used before the joint commission between the United States and Mexico in the matter of various claims now pending before the said commission.

WILLIAM SCHUCHARDT, being first duly sworn, deposes and says: I am a citizen of the United States of America; a resident of Piedras Negras, Mexico; forty years of age, and United States commercial agent at Piedras Negras, Mexico. I am acquainted with Adelaida Van, of Eagle Pass, Tex., who has signed and sworn to a deposition taken before Albert Türpe, on the 26th day of April, 1871. I always knew the said Adelaida Van to be an honest and true woman, and entirely worthy of credit, and her statements are to be believed. Her general reputation for truth and veracity is good.

WM. SCHUCHARDT.

(Here follows, in English, the certificate, under seal of Albert Türpe, notary public of Maverick County, Texas.)

(Translated by A. P. M., Washington, May 24, 1871.)

[Translation.]

STATE OF TEXAS, *Maverick County, ss:*

Deposition of Pedro Salazar, of Piedras Negras, state of Coahuila, Republic of Mexico, taken on behalf of the United States, and intended to be used before the joint commission between the United States and Mexico in the matter of various claims now pending before said commission.

The said PEDRO SALAZAR, being first duly sworn, deposes and says: I am a citizen of Mexico, and resident of Piedras Negras, thirty-two years of age, a boatman by occupation. I was born in San Fernando de Rosas, in the district of Rio Grande, State of Coahuila, Republic of Mexico, and I was a resident of Piedras Negras some time before its destruction by Texas volunteers, under the orders of Callahan and Henry, which destruction, as I recollect, took place in the year 1855. I was well acquainted with the town of Piedras Negras before it was destroyed and afterward. The number of (stone) houses did not exceed six; the other dwellings were huts, cabins, and cellars. I was then living in an underground hut (*soterraneos*) covered with earth, and I had established in it a hat manufactory; I lost by the destruction (of the town) everything that I had in my house. I had about five dozen hats finished and for sale, and about four dozen unfinished; at that time I sold a hat for $4; I also lost all the furniture and other things in my house. When I knew that claims were presented against the Government of the United States for the losses which we had suffered by the destruction of the town of Piedras Negras, I presented myself, as one who had also lost, to Luis Muzquiz, in order that he might present my claim for me, but as I never gave

him a list of what I had lost, nor have told him of it, I do not know whether or not he has done it, but Abram Jimenes, secretary of Luis Muzquiz, handed me a paper to sign telling me that it was the *expediente* of my claim; but I did not read said paper, neither did they read it to me, nor do I know what it contained. At the same [time] that I subscribed the paper Z rnardo Valdez, a friend of mine, subscribed another paper similar to it, and Abram Jimenes, the secretary of Luis Muzquiz, said to Bernardo Valdez that it was the *expediente* of his claim. I do not know what was exactly the number of cabins which it contained when the town was destroyed, but I know that they were not all burned. At that time the price of a breeding-cow was $12 and the price of the best cow did not exceed $15. A fat hog sold at that time for $25 and $30.

PEDRO SALAZAR.

(Here follows, in English, the certificate, under seal, of Albert Türpe, notary public of Maverick County, Texas, under date of 4th March, 1871.)

(Translated by A. P. M., May 20, 1871.)

STATE OF TEXAS, *Maverick County, ss:*

Deposition of William Schuchardt, of Piedras Negras, Mexico, taken on behalf of the United States, and intended to be used before the joint commission between the United States and Mexico in the matter of various claims now pending before the said commission.

The said WILLIAM SCHUCHARDT, being first duly sworn, deposes and says: I am a citizen of the United States, a resident of Piedras Negras, forty years of age, and a commercial agent of the United States at Piedras Negras. I am well acquainted with Pedro Salazar, of Piedras Negras, who signed and swore to a deposition taken before Albert Türpe on the 4th day of March, 1871. The said Pedro Salazar is entirely worthy of credit, and his statements are to be believed. His general reputation for truth and veracity is good.

WM. SCHUCHARDT.

(Here follows, in English, the certificate, under seal, of the notary public of Maverick County, Texas, under date of 21st April, 1871.)

[Translation.]

STATE OF TEXAS, *Maverick County, ss:*

Deposition of Jesus Loy, of Piedras Negras, Mexico, taken on behalf of the United States, and intended to be used before the joint commission between the United States and Mexico in the matter of various claims now pending before said commission.

The said JESUS LOY, being first duly sworn, deposes and says: My name is Jesus Loy; many persons call me Jesus Loya. I was born in the town of Guadalupe, near Monterey, in the State of New Leon. I am a Mexican citizen, and resident of Piedras Negras, in the district of Rio Grande, in the State of Coahuila, Republic of Mexico. I am a boatman by occupation, and twenty-nine years of age. My father was a soldier, and his name was Santos Loy, and he was in Piedras Negras when this town was destroyed by the Texas volunteers in 1855; but I arrived at Piedras Negras about three years after it was destroyed, and I do not know anything about what happened before my arrival in said town. I knew that Luis Muzquiz and Mr. Coopwood were engaged in preparing claims for the residents who had lost by the destruction of their property when the Texas volunteers robbed and burned Piedras Negras; but they never spoke to me on this subject, neither did they call me to make a deposition concerning the losses which had been suffered by me or others; and if certain (any) persons present me as a witness in their *expedientes* they have acted in bad faith, and they have used my name with fraud, since I never made a deposition, because I did not know anything, and neither did they call me to do it, and I wonder how I can appear in the list of witnesses without having been one. I do not know Guadalupe Salinas and Francisco Hernandez and Maria Dolores Hernandez. I know José Ma. Carbajal, but I never made a deposition concerning his claim. I knew from hearsay that he had suffered (loss) in the destruction referred to. I know Nonato Patiño, but I do not know whether or not he lost in the destruction of the town, and I never made a deposition concerning him, nor was I called to do so.

JESUS LOY.

(Here follows, in English, the certificate, under seal, of the notary public of Maverick County, Texas, under date of March 10, 1871.)

(Translated by A. P. M., Washington, May 17, 1871.)

STATE OF TEXAS, *Maverick County, ss:*

Deposition of William Schuchardt, commercial agent of the United States at Piedras Negras, Mexico, taken on behalf of the United States, and intended to be used before the joint commission between the United States and Mexico, in the matter of various claims now pending before the said commission.

The said WILLIAM SCHUCHARDT, being first duly sworn, deposes and says: I am a citizen of the United States, a resident of Piedras Negras, forty years of age, and commercial agent of the United States at Piedras Negras. I am well acquainted with Jesus Loy, of Piedras Negras, who has signed and sworn to a deposition taken before Albert Türpe on the 10th day of March, 1871. The said Jesus Loy is entirely worthy of credit, and his statements are to be believed. His general reputation for truth and veracity is a good one.

WM. SCHUCHARDT.

(Here follows, in English, the certificate, under seal, of Albert Türpe, notary public of Maverick County, Texas, under date of April 21, 1871.)

[Translation.]

STATE OF TEXAS, *Maverick County, ss:*

Deposition of Rafael Salinas, of Presidio de Rio Grande, taken on behalf of the United States, and intended to be used before the joint commission between the United States and Mexico, in the matter of various claims now pending before the said commission.

The said RAFAEL SALINAS, being first duly sworn, deposes and says: I was born in the Presidio de Rio Grande; I am a citizen of Mexico, and a resident of the Presidio de Rio Grande, district of Rio Grande; my occupation is that of an ordinary mail-carrier, and my age is fifty-five. I am acquainted with the town of Piedras Negras, and I knew it before its destruction by Texas volunteers in the year 1855. At that time Piedras Negras was a very little town. The number of stone houses did not exceed six, the other dwellings were huts, cabins, and mud and straw-thatched ranches (*chamacueros*). I cannot estimate how many of the inferior class of dwellings it then had. I was acquainted with those residents of Piedras Negras who had come from my country to this town. I was acquainted with Octaviano Cervera; he is the son of Miguel Cervera; they were poor; they had some few cows and one or more beasts (horses). I am acquainted with Antonio Flores Salinas; he was one of the most substantial. I was acquainted with Geronimo Gonzales; he lived in one of the two straw-thatched huts or ranches (*chamacueros*); he had corrals, but I do not know whether or not it was burned; he also had carts and oxen and cows; but I do not know whether he had any capital. I was acquainted with Maria Telesfora Sosa; she was the wife of Geronimo Gonzales, and they lived together in the same house, which was well furnished and decorated, but in the usual manner. I was acquainted with Juan N. Lopez; he was poor, and had a cabin, a little ranch (*chamacuero*), and cows. I was acquainted with Nazario Moya; he was poor; he lived at the expense of a sister; he had a little cart and three yoke of oxen, and I did not know that he had a house of his own.

RAFAEL SALINAS.

(Here follows, in English, the certificate, under seal of Albert Türpe, notary public of Maverick County, Texas, under the date of March 11, 1871.)

(Translated by A. P. M., Washington, May 20, 1871.)

STATE OF TEXAS, *Maverick County, ss:*

Deposition of William Schuchardt, of Piedras Negras, taken on behalf of the United States, and intended to be used before the joint commission between the United States and Mexico, in the matter of various claims now pending before said commission.

The said WILLIAM SCHUCHARDT, being first duly sworn, deposes and says: I am a citizen of the United States, a resident of Piedras Negras, forty years of age, and commercial agent of the United States at Piedras Negras. I am well acquainted with Rafael Salinas, of Presidio de Rio Grande, who has signed and sworn to a deposition taken before Albert Türpe on the 11th day of March, 1871. The said Rafael Salinas is entirely worthy of credit, and his statements are to be believed. His general reputation for truth and veracity is excellent.

WM. SCHUCHARDT.

(Here follows, in English, the certificate, under seal, of Albert Türpe, notary public of Maverick County, Texas, under date of April 21, 1871.)

[Translation.]

I, José Luciano de la Garza, lieutenant-colonel of cavalry of the national guard of the State of Coahuila, of Zaragoza, Mexico, employed by the federal government of the Republic of Mexico as inspector of the post-office of this city, certify, by the power which the laws confer upon me to issue certificates, that I am certain (of the following things to be true), of my own knowledge, because since the year 1835 I have been engaged in public affairs under the oath which I have taken, that in the year 1855, the time in which an armed force of Texan volunteers, under the command of Callahan and Henry, burned the town of Piedras Negras, that (town) was in a state of poverty, and the inhabitants were poor; and this was a notorious fact by public fame and report; and moreover my oath and my knowledge compel me to say that I knew the inhabitants who migrated before the fire to the said town of Piedras Negras, and that they lived in this city some, perhaps as many as eight, who carried a small amount of stock with them. I also certify that, when the Texan volunteers burned Piedras Negras, that town was composed of plain huts, built of grass and supported by rough posts with the bark on, and that the value of each one was $30, because that is what it cost to build a hut. All the dwellings were huts, except four or six houses which were constructed of earth.

In testimony of which I witness the present at the request of William Schuchardt, vice-consul. I do not use a seal to subscribe, because the law does not permit me to use one.

JOSÉ LUCIANO DE LA GARZA.

ZARAGOZA, *April* 17, 1871.

(Translated by A. P. M., Washington, June 10, 1871.)

STATE OF TEXAS, *Maverick County, ss:*

Deposition of William Schuchardt, of Piedras Negras, taken on behalf of the United States, and intended to be used before the joint commission between the United States and Mexico, in the matter of various claims now pending before the said commission.

The said WILLIAM SCHUCHARDT, being first duly sworn, deposes and says: I am a citizen of the United States, a resident in Piedras Negras, forty years of age, and commercial agent of the United States at Piedras Negras. I am well acquainted with José Luciano de la Garza, of Zaragoza, who signed a hereon-annexed certificate on the 17th day of April, 1871. The said José Luciano de la Garza is entirely worthy of credit, and his statements are to be believed. His general reputation for truth and veracity is very good. The signature on the said annexed certificate is his true and genuine signature.

WM. SCHUCHARDT.

(Here follows the signature, under seal, of Albert Türpe, the notary public of Maverick County, Texas.)

[Translation.]

STATE OF COAHUILA DE ZARAGOZA, MEXICO,
District of Rio Grande:

Proceedings had at the request of William Schuchardt, the vice-consul of the United States at Piedras Negras.

To the acting judge of the first instance of the district of Rio Grande, belonging to the State of Coahuila, Mexico:

José Luciano de la Garza, resident of the city of Zarogosa, and agent (special and solely for this business) for William Schuchardt, vice-consul of the United States in Piedras Negras, come before you and respectfully state: That desiring a complete investigation may be made, in order to enable the United States to indemnify the inhabitants who were domiciled in Piedras Negras, and who suffered losses in the year 1855, in the burning of the place by an armed force of Texan volunteers, under the orders of Callahan and Henry, and to bring to light what I desire as agent of the vice-consul, I request you, as is my right, to make appear in the court over which you preside the citizens whom I offer to present, being residents of this town, and of lawful age, who may testify under oath concerning the points of the following interrogatories:

1st. Let them state their name, age, condition, occupation, residence, &c.

2d. Let them say whether they were well acquainted with Piedras Negras at the time of its destruction by fire by Texan volunteers under the command of Callahan

and Henry, and what was the wealth or poverty at that time of the inhabitants of the town of Piedras Negras.

3d. Whether they knew anything about the residents who emigrated from this city to the mentioned town of Piedras Negras, what was their comfort (condition) then, and what was it when they suffered from the fire.

4th. And finally let them testify about whatever they may know, and about whatever may have reference to the true proof of what they suffered at the fire, the witnesses stating whether they are connected with the claims before the mixed commission between the United States and Mexico.

For the reason before stated, I beg you that when the proceedings are concluded you will please return the originals for the purposes required by my principal.

JOSÉ LUCIANO DE LA GARZA.

ZARAGOZA, *April* 14, 1871.

Received on the 14th of April, 1871.

ZARAGOZA, *April* 15, 1871.

As asked, and for the purposes indicated by petitioner, let him be notified to present the witnesses which he offers in the foregoing interrogatory. Ignacio Fuentes, judge of the first local of this city, and acting judge of first instance of the district of Rio Grande, have so ordered and subscribed in this decree, with assistant witnesses. In witness:

IGNACIO FUENTES.

JOSÉ MARIA VALDES.
RAFAEL ZAMOZA.

Immediately José Luciano de la Garza appeared, and, having been informed of the foregoing decree, said that he hears it, and will comply by presenting the witnesses which he offers in his memorial, and which appears he subscribed with me and assistant witnesses. In witness:

Y. FUENTES.

JOSÉ MARIA VALDES.
RAFAEL ZAMOZA.

In the aforesaid city, on the 17th day of April, 1871, came the first witness, Jesus Zamoza, (who,) having been duly sworn to tell the truth about what he might know and be questioned, said that he is called as stated; is more than 40 years of age, a widower, resident of this place, and by occupation a farmer; and having been shown the interrogatories at the beginning of this proceeding, and being well informed of them—

To the second question he said that he was well acquainted with the town of Piedras Negras at the time of its destruction by fire by Texas volunteers, under the command of Callahan and Henry, and that, as to the wealth of the town, it was, in fact, at that time, one of poverty, because there was not a person who had any capital; that the houses in which the inhabitants lived were huts made of grass, supported by rough posts with the bark on, with the exception of some houses of earth, among them the maritime custom-house.

To the third question (he replied) that he was well acquainted with the residents who emigrated from this city before the fire to the before-mentioned town of Piedras Negras, and that their condition was one of poverty, and this same (condition of) poverty continued when the fire (occurred); that some of the emigrants carried a moderate number of cattle and oxen with them; that he does not remember whether all did so, but that he knows, or has in his mind some, such as Severo de Luna, Martina Lopez, Antonio Montes, Luis Muzquiz, Filipe de la Garza, Pedro Gonzales, Dionicio Gonzales, Francisco Gonzales, Juana Hernandez (widower), Melchora Zimenes (widower), Antonio Ramirez, Arcadio Ramirez, Ramon Rodriguez, Catarino Rivo, Miguel Villareal Herrero, Rosa de la Garza (widow); and he explained that if some were omitted they are few.

To the fourth question he explained that as so many years had passed he does not remember other details; and testifies that he is not comprehended in the claim before the mixed commission between the United States and Mexico; that this is true, under the oath which he declared he had taken, and (he) subscribed with me and the assistant witnesses. In witness:

JESUS ZAMOZA.
Y. FUENTES.

JOSÉ MARIA VALDES.
RAFAEL ZAMOZA.

Without any interruption, the second witness, Thomas Martines and Zulaica, appeared, (who,) having been duly sworn to speak the truth about what he might know and be questioned about, said: That he is named as stated, is more than fifty years of

age, a bachelor, a resident of this place, and by occupation a mechanic: and, having been shown the interrogatories at the beginning of this proceeding, and having been well informed of them—

To the first question he said that the general prohibitions of the law, which were explained to him, do not include deponent.

To the second question he replied that he was well acquainted with the town of Piedras Negras at the time of its destruction by fire by Texas volunteers, under the command of Callahan and Henry; and that the condition of that town, and in that time, was one of poverty, because the inhabitants, as well as the town, were recently settled.

To the third question he said that he also was well acquainted with residents who emigrated from this city to the before-mentioned town of Piedras Negras before the fire, and that their condition was not one of wealth, but of poverty, which continued even to the time of the fire; that he is satisfied that some of the residents who emigrated, such as Marcelino Lopez, Antonio Ramirez, Ramon Rodriguez, Guadalupe Peres, Guadalupe Ramos, Gaspar Zalasar, carried to their new home a moderate number of cows and oxen, as did also José Ma. and Pedro Gonzales, and Dionicio Gonzales, who brought some little sheep with them; and Juana Hernandez (widow), Rosa de la Garza (widow), Melchora Zimenes (widow), Luis Muzquiz, Francisco Gonzales, Severo de Luna, also carried cattle with them; that although he is aware that some (who took stock with them) are omitted, these are very few, as he recollects.

To the fourth question he said that as so many years have passed since the fire occurred, he does not remember other details, and that he is not interested in the claim before the mixed commission between the United States and Mexico; that this is the truth under the oath which he says he has taken; and he subscribed with me and assistant witnesses.

YGN. FUENTES.
THOMAS MARTINES AND ZULAICA.

R. ZAMURAH.
A. J. MA. VALDES.

Then the third witness, José Maria Camanca, appeared, (who,) having been duly sworn to tell the truth about what he might know and be questioned, said that he is named as stated, is more than thirty years of age, resident of this place, by occupation an artisan; and having been shown the interrogatories at the beginning of these proceedings, and having been well informed of them—

To the first question he said that the prohibitions of the law, which have been explained to him, do not comprehend deponent.

To the second question he replied that he was well acquainted with the town of Piedras Negras at the time of its destruction by fire by Texas volunteers under the command of Callahan and Henry, and that the condition of wealth at that time of said town was a condition of poverty, because there was no person who had any capital whatever, owing to the circumstances of the time.

To the third question he said that he was well acquainted with some of the residents who emigrated, before its destruction by fire, from this city to the before-mentioned Piedras Negras, and that their condition was one of poverty; and that some of them who migrated carried with them an ordinary number of cattle and oxen; that he does not remember whether all of them did, but he recollects that some of them did; for instance the following: Marcelino Lopez, Antonio Montes, Luis Muzquiz, Pedro Gonzales, Antonio Ramirez, Ramon Rodriguez, Gaspar Zalasar, Guadalupe Pera, Guadalupe Ramos, but he did not remember any more.

To the fourth question he explains that as so many years have passed he does not recollect anything else, and he declares that he is not connected with the claim (before the commission) between the United States and Mexico; that this is true under the oath which he said he had taken; and he subscribed with me and assistant witnesses.

Y. FUENTES.
J. MA. CAMANCA.

JOSÉ MARIA VALDES.
A. RAFAEL ZAMORA.

The fourth witness, Rafael Tijerina, appeared, (who,) having been duly sworn to tell the truth about what he might know and be questioned about, said that he is called as stated, is more than fifty years of age, is married, resident of this place, by occupation an artisan; and having been shown the interrogatories which are at the head of these proceedings, and having been well informed of them—

To the first question he said that the prohibitions of the law, which have been explained to him, do not comprehend deponent.

To the second question he answered that he was well acquainted with the town of Piedras Negras at the time of its destruction by Texas volunteers under the command

Callahan and Henry, and that the condition at that time of said town was one of poverty, for the reason that its inhabitants, as well as the town, were recently settled.

To the third question he said that he was also well acquainted with the residents who emigrated from this city to the said Piedras Negras before its destruction by fire, and that their condition was not one of wealth, but of poverty, and this continued even to the time of the fire; that he is satisfied that some of the residents who migrated, such as Marcelino Lopez, Antonio Ramirez, Ramon Rodriguez, Guadalupe Peres, Guadalupe Ramos, Gaspar Zalasar, carried to their new home an ordinary number of cows and oxen (as did also José Ma. and Pedro Gonzales, and Dionicio Gonzales some few little sheep), and the following persons also carried cattle with them, viz: Juan Hernandez (widow), Rosa de la Garza (widow), Melchora Zimenes (widow), Luis Muzquiz, Francisco Gonzales, Severo de Luna; that although he knows he has omitted some, they are very few, as he remembers.

To the fourth question he explained that as so many years have passed since the fire occurred, he does not recollect other details; and that he is not interested in the claim before the mixed commission between the United States and Mexico; that this is the truth under the oath which he said he had taken; and he subscribed with me and the assistant witnesses. In witness:

Y. FUENTES.
RAFAEL TIJERINA.

JOSÉ MARIA VALDES.
A. RAFAEL ZAMORA.

I, Yguacio Fuentes, acting judge of first instance of the district of Rio Grande, belonging to Coahuila, Zaragoza, Mexico, certify that the foregoing witnesses who have testified are of age, residents of this city, and that what they have deposed is to the best of their knowledge and belief; as also that they testify that they are not included, nor have they any interest in any claim pending before the mixed commission between the United States and Mexico; or, better said, that they have no claim before the cabinets to which they refer, for the reason that said witnesses so depose.

And in testimony I subscribe with the seal of my office, in the said city of Zaragoza, Coahuila, chief city of the district of Rio Grande, and in the State of Coahuila, of Zaragoza, on the 16th day of April, in the year 1871, with assistant witnesses. In witness:

Y. FUENTES.

JOSÉ MARIA VALDES.
A. RAFAEL ZAMORA.

Let the originals of the present proceedings be delivered, as requested, and upon five written sheets.

Put the seal of my office.

Fees of the court, according to the tariff, $7.50; and of the certificate, $1.25.

(Translated by A. P. M., Washington, June 10, 1871.)

Deposition of Amos O. Strickland.

The said AMOS O. STRICKLAND, being first duly sworn, deposes and says: I am a citizen of the United States, native of Bradford County, Pennsylvania, and for the last eighteen years a resident of Texas. I now reside in Kinney County, near Fort Clark, nine miles from there. I have a stock-ranch there and farm. I know and am well known to the officers of the garrison at Fort Clark. I know Pedro Tauns, who is one of the claimants for the destruction of Piedras Negras. He now resides in Kinney County. He is a native of Texas; he is a mulatto, and was a servant of the late General Sam Houston. He resided some time in Mexico, but claims now to be a United States citizen, and told me at the last election how he was going to vote in Kinney County. He told me also that he was one of the claimants for the destruction of Piedras Negras, and had made claim therefor against the Government of the United States. I asked him the amount he claimed, and he answered, "O, I am a hamed to tell you, it is so big!" He then said he was one of the first settlers of the town of Piedras Negras, which was settled when the post of Fort Duncan was established, or soon after. He has never been worth over $100 at any time, at least since I have known him, and that is eight years. Tauns is well known to the United States officers at Fort Clark; to Major Bacon (who was on General Sheridan's staff), of the Ninth United States Cavalry (colored). Tauns has been working lately as a mason, in the employ of the government at Fort Clark and for the last year or so has been burning lime, or has been employed in small jobs about the post; he is also a fiddler, and plays at fandangoes,

and for the officers when they make a party there. I am well acquainted with Piedras Negras, that is, since it was burned. I know a great many of the inhabitants of the village; they are generally poor, and always have been; their houses are chiefly *jacales*, or Mexican huts; those of the common kind would cost to construct from $10 to $100, according to its size and finish; the furniture they have, where they have any, is of a very poor description; many are without a chair, bedstead, or even a table, in fact, the greater part of them; many of their houses consisted of holes or cellars dug right in the bank of the river and covered with thatch, without door, window, or sides. The inhabitants were chiefly cartmen or laborers, and very few of them had any property whatever. From all that I know of Piedras Negras, and all I have heard from its inhabitants, who are now claimants, and from others, I should say that in the attack upon the place, in 1855, it is impossible that more than $50,000 worth of property could have been destroyed or taken; in fact, I believe far less than that, but not over that sum, because no such amount of property existed there. It was a new settlement, inhabited by the poorest class of laborers, with some very few exceptions and had not, like the older settlements farther back from the river, farmers and men of some property residing there.

A. O. STRICKLAND.

Deposition of Edward T. Moore.

The said EDWARD T. MOORE, being first duly sworn, deposes and says: I was born in Pittstown, Rensselaer County, State of New York. I am now a resident of San Antonio, Bexar County, State of Texas, and am by occupation a stock-raiser. I am a citizen of the United States. I am fifty years of age. I was in Piedras Negras, Mexico, and in Eagle Pass, Tex., from the year 1849 to 1856. During this period I was a permanent resident of Eagle Pass. In the years 1849 and 1850 I was employed by the United States officers to repair buildings and to erect what is now known as Fort Duncan. During the balance of said period I was employed as a ferryman between said towns. I know the town of Piedras Negras perfectly well, having built the first house ever erected in the town. I was, during the period hereinbefore mentioned, constantly in said Piedras Negras, and was well acquainted with every person occupying each town. I was at Piedras Negras when the raid of Callahan and Henry occurred, in October, 1855; the circumstances of said raid were as follows, viz: About the middle of the day on which said raid occurred, about ten men on horseback, belonging to the command of said Callahan and Henry, made a charge through Eagle Pass and seized my ferry-boats on the river Rio Grande; shortly after about one hundred men of said command followed, took possession of said ferry-boats, and immediately crossed to Piedras Negras, of which place they took control. About sundown of the same day they crossed the river, they passed through said town of Piedras Negras, and camped three miles beyond that place, on the road to San Fernando, without committing any depredation whatever. On the second day after crossing to Piedras Negras said command of Callahan and Henry returned to said town, and remained therein two days and a part of one night, during which time not more than forty small *jacal* houses, the value of which was not more than $40 each, were burned, and some property taken from the inhabitants, in value about $5,000. Some other property, not enumerated above, amounting to about $1,000, was taken for the purpose of constructing breastworks as protection against the Mexicans and Indians who assembled in force, which said property was burned. I believe that $10,000 would amply compensate the inhabitants of said Piedras Negras for all damage and loss sustained by them on the occasion of said raid, they being very poor. There was only one person in said town who was worth $3,000; the average value of the property owned by each family was $200. I do not believe that it was possible that $50,000 worth of property could have been destroyed on said occasion. The command of Callahan and Henry committed no depredations and fired no buildings until the Indians and Mexicans assembled around Piedras Negras, closed around them, and commenced an attack upon them, at which time four 32-pound guns were run out and bearing upon Piedras Negras, by authority of the officer in command of Fort Duncan, Major Burbank, to protect the return of Callahan and Henry's command to Eagle Pass.

EDWARD T. MOORE.

Deposition of George W. Brackenridge.

GEORGE W. BRACKENRIDGE, being first duly sworn, deposes and says: I am at this time a citizen and resident of this place, San Antonio, and am president of the San Antonio National Bank, and am thirty-nine years of age; have resided in San Antonio since 1866. In the year 1855 I resided at Seguin, in Guadalupe County, in this State.

In October, 1855, as soon as the news of the affair at Piedras Negras reached Seguin, where it was stated that the Mexicans were coming across into Texas in retaliation of the attack made upon Piedras Negras, I started, in company with others, for Eagle Pass, or the frontier, to defend the expected attack. Our company halted on the Sabinal, and I, along with one or two others of them, proceeded to Fort Duncan to inquire into the particulars of the affair. We arrived there some days after the occurrence, and while all the marks of what had taken place were still visible and fresh. I crossed the river into Piedras Negras, accompanied by some others, and for the purpose of ascertaining what had really taken place, and the extent of the damage done. We found that about two-thirds of the huts or *jacales*, in which the inhabitants had resided, had been burned. My information was obtained from the Mexican men and women, inhabitants of the town, and whose property had been destroyed; and my sympathies were very much enlisted in their favor, because I saw they had been deprived of their homes and property by what I thought an outrage and very unwarrantable act. I made an estimate of the injury that had been caused, and the losses then occasioned there, from the testimony I could obtain from the injured parties on the spot, and within a few days after the act, and I came to the conclusion, as I recollect, that $50,000 would cover it all. The inhabitants were all poor, principally engaged in carting or stock-driving, and perhaps in smuggling in a small way. They were chiefly laborers, and very many would hire out at $6 or $7 a month. I thought that they had lost what little property they had, which, though small in amount, was everything to them, and was entirely changed in the opinion I had formed before arrival, for I had supposed that they were coming over in force to revenge the robbery. I thought the affair a very shameful one on the part of our people, and that a compensation was justly due these poor people. With that view it was that we estimated the damage, which, after inquiry, we put down at the sum I have named. I remained there two weeks engaged in the inquiry, and daily learning some further particulars of the affair. I do not know or now recollect the particular losses of individuals, or the details of each case; but the sum I have named is the total amount of the damage, so far as we could ascertain it. The population were generally of a low and vicious class, and I remember it was said of many individuals pointed out to us that they "could not drink water on the other side," meaning that they could not cross over to the American side for fear of arrest or punishment for some crime or offense, in consequence of which they had sought asylum on the Mexican side of the river. The respectable portion of the inhabitants were also poor, and there was no furniture of any value in any house I saw in the town. After remaining there some two weeks we returned to Seguin. I have not since visited the place.

GEO. W. BRACKENRIDGE.

Deposition of Lorenzo Castro.

The said LORENZO CASTRO, being first duly sworn, deposes and says: I am a citizen of the United States, born in London, England; and coming to the then republic of Texas when I was nine years of age with my father, Henry Castro, who colonized and settled Castroville, D'Hanis, and other places in Western Texas. I have resided in Texas ever since; not now engaged in business, and thirty-six years of age. In 1851 I first went to Eagle Pass, then just settled, and established a business there, and remained till June, 1852, after the store belonging to my father was burned. I knew Piedras Negras well at that time, crossing over almost every day. It was a miserably poor settlement. The Mexican commandant was then the only person who had a decent *jacal* even, the majority, three-fourths of them, living in holes dug in the bank of the river, some in huts and *chamacueros*, which are dwellings built of posts and covered with earth. There were no persons there of any wealth. It was a military colony, composed of a company of soldiers of one hundred and forty men, under command of Captain Arredondo. To these were added some laborers and camp-followers, and persons engaged in smuggling in a small way. The wealthiest man there was De la Garza. His property was chiefly at Santa Rosa, one hundred miles back. De la Garza had a small store. There was no other store, nor any place where any article could be procured. I returned to Eagle Pass in 1853, and again visited Piedras Negras. At that time there were more *jacales* built, and the number of inhabitants had increased some, but it was still a miserable place, and the same in all its essential features as the year before. I was there then two weeks. I returned again to Eagle Pass, crossed to the other side, and remained several months in 1858, after the burning which took place in 1855. The place had very much improved; some buildings of adobe and stone had been erected after the fire. At the time of the fire the only two-story house in the town belonged to John B. Rich, who had married a daughther of Mr. de la Garva. At

the time of the fire, in 1855, there were not more than two hundred *jacales*, and these were worth on an average from $40 to $100. These contained small articles of furniture of very little value. The inhabitants had some extra articles of clothing and jewelry; and $50,000 or $60,000 would have paid liberally for all the damage done there.

LORENZO CASTRO.

Deposition of John Newton.

The said JOHN NEWTON, being first duly sworn, deposes and says: I was born in that part of the Indian Territory occupied by the Cherokee Nation. I am now, and have been since 1848, a citizen of the State of Texas, and always a citizen of the United States. I am thirty-four years of age, and a merchant by occupation. I am now a resident of Fort Concho, Texas; I was a resident of Piedras Negras, Mexico, from January, 1855, to March, 1856; was employed there, and knew that town and the large part of its inhabitants well, and knew them in 1855. I was there in October, 1855, when the raid of Callahan and Henry occurred, and witnessed what was done. The circumstances were as follows, viz: The command of said Callahan and Henry crossed the Rio Grande from Eagle Pass to Piedras Negras, through which last-mentioned town they immediately marched, and encamped twenty miles beyond. Being attacked by Indians and Mexicans, while in camp, they returned to Piedras Negras the second day after first entering that town, and there constructed some rough breastworks to protect themselves against the Indians and Mexicans. During the presence of said command in Piedras Negras, on their return as aforesaid, they burned some one hundred *jacales*, or huts, of a rude and very cheap construction, together with a few houses of a better character; they also pillaged the town, but as the inhabitants were very poor they could not have inflicted much damage thereby. The *jacales* were worth about $50 each, on an average. From what I know of the place and its inhabitants at the time of said raid, I would consider $50,000 ample compensation for all damage done, including the values destroyed and taken. There were very few, if any, persons in Piedras Negras at the time of said raid worth $3,000.

JOHN NEWTON

Deposition of Frederick Groos.

FREDERICK GROOS, being duly sworn, deposes and says: I am a citizen and resident of Texas, and have been so for more than twenty years. In the year 1855 I resided at Eagle Pass, in this State, opposite the town of Piedras Negras, in Mexico, and was there at the time of the raid by troops under Captains Callahan and Henry on said town, which took place in the autumn of that year. I saw them cross over the river, and I went over there once while they were in Mexico. They had advanced from Piedras Negras into Mexico, and had an encounter with Mexicans, and then returned to Piedras Negras. When they returned they fortified themselves in some of the strongest-built houses, and they burned or destroyed some thatched huts, or *jacales*, so as to give range to their fire. They set fire also to some houses in the town, to the number, perhaps, of twenty, not more, and some stores were robbed and some houses were plundered, if they could be called houses, and some small articles were carried off—things that could be found readily and easily carried—such as saddles and Mexican blankets. The whole amount of damage done could not exceed, altogether, $50,000. The houses, or *jacales*, which are thatched huts, destroyed were not any of them worth more than $100 or $200; possibly two or three of them might been worth $200 or $300 each, but the town was a collection of *jacales* (huts), and inhabited almost exclusively by poor people. Any inhabitant there who was worth or had $2,000 would have been considered rich. I knew Maria Juana Hernandez, who claims $127,000. She was a poor woman. She had no particular business. She was not worth $1,000. She may have owned a small house and lot. Lorenzo Guevara was also known to me, who claims $231,429. He was as poor as the above-mentioned. If he had $1,000 it certainly was not known at that time. I have seen the list of claimants before the commission for the destruction of their property in Piedras Negras. They are all grossly exaggerated, with the exception of those who claim a few hundred dollars. The injury done on that occasion by robbery and pillage could not have exceeded the sum I have mentioned, because the values were not there. There were very few, if any, horses or mules carried off, because the river was high and the invaders were obliged to leave some of their own horses in their flight to the American side. Any house that contained furniture to the value of $100 or $200 would be looked on as very rich. No house, except some store, or containing a stock of goods, could have lost more than a few hundred dollars aside from the value of the house. I had been living at

Eagle Pass, opposite Piedras Negras, and in daily business intercourse with the inhabitants of that place, and I knew well the condition and circumstances of most of them, and, aside from the value of goods in a store or two, there is not one among the claimants who could have lost $1,000. Most of them did not lose anything like that. As I have stated, $50,000 would amply pay all the damage that was occasioned by that invasion. I knew Melchora Jimenes. She might have been worth $1,000. I knew Manuel Rodriguez. He might have been worth $2,000. Dolores Moya had nothing that I knew of; she was very poor. José Maria Nuncio—if he had anything it must have been only a few hundred dollars. Louis Muzquiz was very poor. He claims $51,000. Jesus Almendares claims $156,000. I knew all the merchants there, and almost all who traded there and who frequently came over to buy goods. If he had any stock of goods or value I would have known it. He had none to my knowledge. Pedro Gonzalez claims $83,000. He was a cartman, and I have occasionally employed him as a servant and escort. I paid him a dollar a day, and took him with me about that time or the year previous. I see several others in the list situated in the same way, and who make claims for large amounts which they never owned. I have already stated that the town was inhabited by poor people, and any man who had a few thousand dollars was looked upon as rich or in good circumstances. The claims are for amounts which are grossly exaggerated. Felipe de la Garza was perhaps the best off in the town. The owner of the store he was in was Jesus de la Garza, his father. That store was robbed to some extent; I do not know to what extent. He could not have lost more than $2,000. I am forty-three years of age, and am a merchant in this city, where I have resided now five years.

FREDERICK GROOS.

STATE OF TEXAS, *County of Bexar, ss:*

I, Robert D. Burns, of the city of San Antonio, county and State aforesaid, do hereby certify that Lorenzo Castro and E. T. More, citizens of said State, are well known to me; that they are truthful and credible persons, and that full faith and credit are due and should be given to all depositions and statements made by them.

R. D. BURNS.

Sworn to and subscribed before me. In witness whereof I have hereunto set my hand and official seal, at office, in San Antonio, this 15th day of March, A. D. 1871.

[SEAL.] J. MILLS HOYER,
Notary Public Bexar County.

STATE OF TEXAS, *County of Bexar, ss:*

I, Thomas D. Johnston, of the city of San Antonio, State and county aforesaid, do hereby certify that Frederick Groos, George W. Brackenridge, and John Newton, citizens of said State, are well known to me; that they are highly respectable and credible persons, and that all depositions or statements made by them are entitled to and should receive full credit and belief.

THOMAS D. JOHNSTON.

Sworn to and subscribed before me. In witness whereof I have hereunto set my hand and official seal, at office, in San Antonio, this 15th day of March, A. D. 1871.

[SEAL.] J. MILLS HOYER,
Notary Public Bexar County.

Deposition of Adolfo Duclos.

The said ADOLFO DUCLOS, being first duly sworn, deposes and says: I am by birth a Frenchman, a merchant by profession, forty-five years of age, now a resident of the city of Monterey, where I am established in business, and was formerly a resident of Eagle Pass, in the State of Texas, and during my said residence there the occurrences to which this deposition relates took place, I being present at the time. I know the village of Piedras Negras, and was well acquainted with the condition and circumstances of all of its inhabitants at the time of the raid of filibusters, under Callahan and Henry, from Texas, took place. I know that nearly all of the inhabitants of the village were of the poorest class of Mexicans, living in huts built of pickets stuck into the ground, with grass roofs, and without windows or floors; and that all their property was of little value, and in keeping with the character of their houses. At the time referred to there were three or four houses of the better class, but none of the inhabitants could be considered rich. I am perfectly satisfied that the whole village, including lots, houses, and the personal property of the inhabitants, could, in 1855, have been bought for less than $20,000, the village being at the time one of the most insignificant of the small towns of the State of Coahuila. I know, from personal obser-

vation, what articles were stolen by the filibusters, and I am satisfied that they would not amount, in actual value, to $1,000. I know this, also, from the fact that, owing to the poverty of the bulk of the inhabitants of Piedras Negras, there could not have been a robbery of a large amount of property or money. I know, also, from having seen the houses which were burned, that not over a half dozen were so destroyed, and the most of them *jacales*, of very little value, worth, say, $25 to $50 each. I have read what is written above, and here confirm it.

ADOLFO DUCLOS.

Deposition of Florencio Canales.

[Translation.]

The said FLORENCIO CANALES, being first duly sworn, deposes and says, in the Spanish language, since he does not speak English: I am a native of Lampasas, in the State of New Leon, seventy years of age, now and since the annexation of the Republic of Texas a citizen of the United States of the North, I living then in Old Laredo, on the Rio Grande. I am a butcher by occupation. I came to Fort Duncan, or, that is, Eagle Pass, when it was established, and since then I have lived here. I was here in the year 1855, and at the moment when the attack occurred by the volunteers of Callahan and Henry on the colony of Piedras Negras. I witnessed that burning, and saw that all the cabins there were burned. Four days after that occurrence I crossed to the other side of the river and saw the remains of the colony. All was burned. The day after the fire the volunteers who had burned the colony came to this side. I knew many of the residents of Piedras Negras. I can mention the greater part of them and those who had some property. They were poor people who lived by their labor. They had their carts and oxen, some shops with bottles of liquors. The strongest house was that of Jesus de la Garza. He might have had, in my opinion, $2,000. No other resident had so much. There were some who had $500, or perhaps even as much as $1,000 in every kind of property and goods. But the greater part did not have such amounts. The majority were poor people, and they had $200, $300, or $400 in all. Luciano de la Cerda might have had $600 in all, and he, after Jesus de la Garza, was one of those who had most.

FLORENCIO + (his mark) CANALES.

Before witnesses.

Deposition of Ramon Perales.

[Translation.]

The said RAMON PERALES, being first duly sworn according to law, deposes and says, in the Spanish language: I am a native of San Buena Ventura, fifty-eight years of age, married, and a merchant. In the year 1855 I was in Piedras Negras as a contractor and merchant, and in the month of October, in the same year, I witnessed the attack made by Texas volunteers, under the orders of Captains Callahan and Henry, on that town, and I know the ruin they committed there. They burned some cabins with corn—say thirty or forty huts—which might be worth $50 each. I had a hut at that time which was worth some $40. There were, perhaps, one hundred families, with five hundred individuals, all poor. Some individuals possessed $1,000 or $1,500 at most; they were the richest. The majority, being poor people, did not have in this class (any) who had more than $200, $300, or $400. It was a new town, recently established, and composed of families who had come from Presidio de Rio Grande, San Fernando, and other towns of the district. Being in Nava, twelve leagues from here, Luis Muzquiz came from Piedras Negras to find me, in order that I might come to make a deposition, and give my testimony about the claims which were being made up in Piedras Negras, in order to present them in Washington in favor of the residents in this town. I went to Piedras Negras and made the deposition in the house of Luis Muzquiz. He asked me how much I had lost in the attack, and I answered him that the total value might reach $800. He replied that I ought to claim much more, since they had outraged my person and had caused me considerable damage and injury. I said to him that it was true, but that I did not propose now to demand this in account, and that the true value of what they had taken from me was as just stated, some $800. Don Luis replied that the residents of Piedras Negras had agreed to make up and present their claims in Washington against the Government of the United States, and to this end they had to incur much expense in making up the *expedientes*, and to secure the deliv-

ry of the money, which would be on shares, that is to say, half for me and the ther half for him and the others who commenced the business; that so all the others ad agreed; and he said to me that I ought to say $20,000. I answered him that he ight place the amount which he might wish, but that I for my account would be atisfied with the value of the goods which I had lost. He said to me that the Government of the United States was very powerful, and could well pay the sums indicated. I replied to him that this might well be, but what it ought to pay was the alue of the things which the residents of Piedras Negras had lost; that this was just, nd that I did not wish more. I have seen the list of the residents who claim and the mounts demanded, and they are much exaggerated. Lorenzo Guevara is a resident f Piedras Negras. All that he had at that time did not exceed $500. He had two old arts and a cabin, two little oxen, five yokes, and he had recently come; wagoner. uan José Patiño was a subcontractor with the quartermaster at Fort Duncan; he was wagoner; he had two carts, and all that he had could not exceed $800, and he as one of the most powerful and rich of Piedras Negras. The sums which claimants laim are much exaggerated. There was no one who had more than $2,000. Maria uana Hernandez might have had $300 or $400; it could not be more. Victoriano odriguez was a wagoner, and his capital and the value of his stock did not exceed 400. Maria del Refugio Menchaca might have had $200; she claims $99,000. For very dollar lost they put down as much as $1,000 of reclamation, saying that they had ent down half, and after that leave the half that remained for expenses and commissions. The residents of Piedras Negras who had shops or stores did not have in heir stores more than some bottles of liquor, leather, shoes, and wares of little value. Then the town was formed lots were given to all who wished to build a house, because he object was to attract population from the other towns, and the people whom they ight expect were poor and could not pay for them. José Olallo Delgado had a store, nd he may have had $1,000 in all. I know Antonia Sanchez de Fernandez. She had little shop with some bottles of liquor, and she may have had $400, with her cabin nd all. I also know Domingo Miguel; he was a laborer and could not have had more han $200. Juan Flores might have had $1,000 or $1,200, and he was one of the most owerful. Gasper Salazar did not have more than $200 in all. Gregorio Salinas was a ilversmith by occupation. In the colony of Piedras Negras he had nothing. He lived ith his brother in San Juan. Those who charged themselves with the business of making up the *expedientes* of the claims, and of obtaining testimony, were Mr. Luis Muzquiz and an American, who is lame and is called "of the camels," because he had corral with camels, in Piedras Negras. Secundino Barbarosa was a soldier and had een a laborer. What he possessed could not exceed $200. Luis Muzquiz did not have more than $1,000; he had a hut and bottles; he sold liquor; he was a clerk. Dolores Moya did not have $300. In my judgment, the whole value of all the property and stock which was stolen and destroyed in the attack does not exceed $70,000. I am at this moment resident of Navas on account of my business, and I am passing frequently from Navas to Piedras Negras. I have always lived in this district and in Piedras Negras until the year 1866–'67. The colony of Piedras Negras was formed a little while after the camp of military location or Fort Duncan. It had no existence before. I am a Mexican citizen.

his
RAMON + PERALES.
mark.

Deposition of Gregorio Garza.

[Translation.]

The said GREGORIO GARZA, being first duly sworn, deposes and says: I am a native of San Nicolas de Hidalgo, in the State of New Leon, and since eighteen years I am resident of Piedras Negras; forty-six years of age and farmer. I was in the town of Piedras Negras in 1855, and during the whole year, and in the month in which the attack and burning of this town took place, at the hands of Texas volunteers, under the orders of Callahan and Henry; was then a resident of Piedras Negras; had a house covered with hay in which I lived at that time, and my dwelling was burned with the others; there were then some one hundred and fifty or one hundred and eighty cabins (huts) belonging to the residents of the town, and the value of them was from $30 to $80 each. Very few had articles of value. The generality of the residents were poor people. The richest among the inhabitants did not have more than $3,000 in all, and the generality much less, not more than $300 or $400 in value of furniture, or goods which they had. All that I lost on this occasion by the burning did not exceed $500. I know Maria Juana Hernandez; what she could have lost on that occasion did not exceed $400; she was poor. I know Dimas Sandoval. He did not have more than $300 in value. Felipe de la Garza might have had $800. Lorenzo Guevara was then a boy,

living with his mother. Juan José Patiño had some wagons (carts), and lost about $800. He was one of the weathiest (men) there. Santos Loy was a soldier, and he might have lost $300. Guadalupe Ramos was a musician, and is now, and he might have lost, perhaps, as much as $500. Francisco Gonzales Reyes was poor; as was Melchora Jimenes. They have placed my loss at $63,983. I have already stated what I lost. The *expedientes* were made up by Luis Muzquiz and others. He came to my house, and, I not being there, he asked my wife what was the amount. She replied that she was not competent to know how much it was. Luis Muzquiz then put down the sum which I have named, and he did the same with the other residents. I never signed any *expediente* or declaration of my loss. I was never at the house of the judge, nor at the court for the purpose of giving testimony on this subject. I believe that he did the same with the others, and that he has put down and claimed $8,000 or $10,000 in favor of persons who did not lose $100. Jesus Almendares and Mariano Aguirre claim $126,290 and $51,506, and they did not lose $100, because they never had it, and neither did they have it now. Luciano Arredondo was poor. He had nothing more than his cabin and furniture of small value. There was not then more than six stone houses; almost all were of timber and covered with hay. Secondino Barbarosa was a soldier—a confirmed drunkard; he had nothing. José Maria Carbajal was a soldier. Juan Caceres was a boy. I do not know who Jesus Cobos is. I knew almost all the residents at that time. Santos Cervantes was poor; he had some furniture in his house. Rafael Cespeda was a soldier; he was poor. Miguel Cervera was a cartwright; he might have lost $600. I do not know Manuel Amarillo Castro, nor José Maria Cortes, nor Cruz Cifuentes, nor Juan Castro, nor José Olallo Delgado, nor Rosa Elquezabal, nor Manuel Elquezabal, nor Gertrudes Floras. Jesus Flores was a peasant; he was poor. Antonio Flores Salinas was a boy. Juan Flores the same. Jesus Frias was a soldier. Rafael Flores, soldier. Gregorio Gonzalez was then a poor baker, and he had no house. Albino Guevara was poor; he never had here the occupation of hat-maker. Anastasio Gonzalez was also poor; he claims $57,339; he did not have $200. I say the same of Dionisio Gonzalez and of Francisco Gueda and of Francisco Gonzalez. Maximo Garcia was a soldier. Jesus Maria Herrera, a smith, claims $46,350, and he could not have had $500. Clemente Herrera claims $72,688; this would be on behalf of his father, Theodore, and he might have had $600 or $800. Eufemia Hernandez was poor; she claims $44,500; she might have lost $500. José Jimenes was a poor man. Juana Longoria was then a girl; she claims perhaps on account of her parents. They were also poor, and they could not have lost more than $400. Jesus Losoya was poor. Severo de Luna was also a poor man. Marcelino Lopez, the same. Crescenciana Martinez was poor. Antonio Montez was a musician, and poor. Luis Muzquiz claims $51,797. I believe that he was not in the town then. He was the one who made up the *expedientes*. I believe that he has nothing now. He is a bad man. He was a prisoner in Saragosa (San Fernandez), and broke jail and escaped. José Maria Nuncio was poor. Julian Ortiz is a guard now; he was not in Piedras Negras then. Guadalupe Olvera is poor. Nonato Patiño the same, and Jesus Pineda, and Miguel Patiño, and Francisco Quintero, and Simon Rodriguez. Manuel Rodriguez had a little shop, and might have lost some $800. Julian Rodriguez was a soldier, poor, and Jesus Ramon the same. Rosalia Rodriguez might have lost $500. José Maria Rodriguez was a poor man; the same was Antonio Ramirez, carpenter. Ramon Rodriguez might have lost $800. Catarino Rios was a poor man; the same was Leonardo Rodriguez. Eleno Rodriguez claims $52,196; he is son of Ramon Rodriguez, who claims $65,350. At that time Eleno Rodriguez was a minor, and he had nothing. Dolores Salinas is a poor woman; the same is Francisca Zulaica. Domingo San Miguel was ensign of a company of soldiers at that time; he had very little; he was poor. Jesus Salinas was corporal of the company; poor also. Gregorio Salinas, silversmith, had very little. Gaspar Salazar was poor. Vicente de los Santos was sergeant of a company of soldiers; poor. Videlia de la Serda was poor; he was a boy then. Maria de la Luz Salazar was the wife of a corporal of the company; she claims $43,871; she might have had $300. Margarito Teposte, soldier, and poor. Casimiro Trejo was corporal of the company, and poor. Pedro Valades was a poor man, and so was Estanislao Valades, and his brother Silverio Valades, peasants and laborers. Onofre Villareal was the wife of Captain José Maria Saiz, and had one of the best houses; she was among the wealthiest people there. I have seen her manifest, or list of the things which she lost, and it does not reach $2,000, and she claims $113,736.50. Trinidad Vasquez was sergeant of the company of soldiers, and poor. Bernardo Valdes is now boatman (on the Rio Grande), and claims, without doubt, on account of his parents, because he was under age then. Cecilio Vara was a poor man; the same was Miguel Villareal. Nicanor Valdez, poor man. Angel Yturriaga was a soldier, and poor. There are some names in the list which I do not recognize, and I do not know that they were there at that time. The sums which they claim are very extravagant (or exaggerated). They could not have had, nor could they have lost, such an amount. There are claimants who then were not in Piedras Negras.

his
GREGORIO + GARZA.
mark.

First deposition of William Schuchardt, United States commercial agent of Piedras Negras.

The said WILLIAM SCHUCHARDT, being first duly sworn, deposes and says: I am a citizen (naturalized) of the United States, thirty-nine years of age, now temporarily resident in Piedras Negras, where I am commercial agent of the United States. I have resided in Piedras Negras since the latter part of the year 1863. I am well acquainted with Ramon Perales, who has made a deposition before Albert Türpe, notary public, this day, and intended to be used before the mixed commission between the United States and Mexico, and now sitting at Washington, in the matter of various claims of Mexican citizens against the United States, and especially in favor of certain claimants because of the destruction of a part of the town of Piedras Negras in 1855. I have known Mr. Perales since 1867. He is a man of integrity of character, honest and worthy of credit and belief. Such is his general reputation. I have seen the list of the claimants against the United States for the destruction and robbery of their houses and pillage of their property in Piedras Negras by the raiders under Callahan and Henry in 1855, and am acquainted with a good many of them. The claims are all for extravagant amounts. None of them ever had any such amount of property. It is notorious that the amounts claimed are inflated and very extravagant. I have frequently conversed with those who allege that they lost their property and all they had on that occasion, and I know their present conditions and occupations, and, judging from their own declarations of the articles they then possessed, and which were taken from them, I should judge that the whole amount of the property destroyed and taken at that time and on that occasion could not exceed, in all, $50,000. Ramon Perales was one of those who lost property on that occasion, and, as he states in his deposition, he desired to make claim for about $800; and any larger amount than that is an exaggeration, made for the purposes he has stated, and not with his consent; and from that may be judged the exaggeration in other cases, in all of them, for they are all well known in Piedras Negras to be exaggerated, and so stated openly to be exaggerated, with the expectation that they will be cut down at least one-half or more; and of the sums that may be awarded but a portion will reach the claimants. These facts are notorious in Piedras Negras, and of general reputation and notoriety.

WM. SCHUCHARDT.

Second deposition of William Schuchardt.

The said WILLIAM SCHUCHARDT, being first duly sworn, deposes and says: I am commercial agent of the United States at Piedras Negras, in Mexico, opposite to Eagle Pass, and resident there since 1863. I am well acquainted with Gregorio Garza, of Piedras Negras, who has made deposition before Albert Türpe, notary public in this place, on the 15th day of February, and who, after the same was taken down by me and read to him by me, signed (marked) said deposition. He is entirely worthy of credit, and his general reputation is that of an honest and reliable man. I have for several years had occasion to employ him, from time to time, on business of importance, and requiring a man of confidence and integrity, and have always found him correct and truthful. Such is his general reputation in Piedras Negras, where he has resided for a long time. I am acquainted also with many of the persons mentioned by him as inhabitants of Piedras Negras, who are among the claimants for the destruction of their property in that town in 1855, and his statements there made, both as to them and as to the mode of preparing and presenting the *expedientes* or documents in support of his and other claims by Luis Muzquiz, and others, are true. I am acquainted also with Luis Muzquiz, and his character and reputation are not good, and the statement of Gregorio Garza in relation to him is true. The agents of the claimants in Piedras Negras, Bethel Coopwood and William Stone, came to me and proposed to pay me the fees for my official certificates to the seal and signature of the judge before whom the *expedientes* or testimony in support of those claims was taken—should be paid on condition that the claims were successful. I refused, stating that for every certificate and fee I had to render account, and I could make no such stipulation.

WM. SCHUCHARDT.

Deposition of Ramon Perales.

[Translation.]

The said RAMON PERALES, being first duly sworn, deposes and says: I am a Mexican citizen and resident of Nava, and I am about fifty-eight years of age, and merchant and laborer by occupation. I was a resident of Piedras Negras at the time that this town was destroyed by Texas forces, under the command of Callahan and Henry, and

I lost by said destruction property of some value. The past year Luis Muzquiz was [illegible] for me, in order that I might make my claim through him, as my agent. I gave him [illegible] a deposition (statement) of what I had in reality lost, and I never expected that the [illegible] would pay me more than what I had lost, and if they paid me what I have lost I would [illegible] be satisfied. I signed a power of attorney, in order that Luis Muzquiz might act as [illegible] my attorney in this business, but they never asked me to make depositions concerning [illegible] what other residents had lost by the same cause, and I never made a deposition, nor [illegible] subscribed any document or *expediente* with respect to persons or losses which they sus[illegible]tained by the destruction of Piedras Negras by Texans in 1855. I know Trinidad [illegible] Vazquez. I know Pedro Gonzalez and Domingo San Miguel. I do not know Albino [illegible] Guevara; at least, I do not recollect him. I have not been a witness in the *expediente* [illegible] of Pedro Gonzales, nor of Albino Guevara, nor of Trinidad Vazquez, nor of Domingo San [illegible] Miguel, and of no other person, and if Luis Muzquiz or other agents have placed [illegible] (my name) in the *expedientes* of the above-mentioned persons, or of any other [illegible] whatsoever, these agents have committed a fraud by using my signature. I believe [illegible] that many persons have made claims for losses who were not in the town at that time. I knew Marcelino Lopez; he was very poor; he had a cabin, and worked with a little cart. I knew Secondino Barbarosa; he was very poor, and was a retired soldier, and he did not have more than one cabin. The same was Jesus Frias; he was build[illegible] cabin, and did not have anything more. I knew Trinidad Vazquez; he did not have anything but a cabin, and sold chickens and vegetables; he was very poor.

his
RAMON + PERAL[illegible]
mark.

Witness:
MARIDAD FURZA.

(Here follows, in English, the certificate of Albert Türpe, notary public of Maverick County, Texas.)

(Translated by A. P. M., May 19, 1871.)

Index to Piedras Negras claims.

General docket number.	Notice docket number.	Claimant.	Amount claimed.
317	257	Almansa, Juan	$47,07[illegible]
336	276	Angeles, Merced de los	63,8[illegible]
344	284	Agirre, Mariano	51,50[illegible]
350	290	Almendares, Jesus	156,24[illegible]
714	109	Arredondo, Luciana	13,95[illegible]
316	256	Barbosa, Secundino	21,59[illegible]
351	291	Barrera, Severo	97,98[illegible]
319	259	Carbajal, José Ma	21,79[illegible]
347	287	Calderon, Juana	41,8[illegible]
656	301	Cáceres, Juan	23,026.[illegible]
660	305	Cobos, Jesus	3,72[illegible]
664	309	Cervantes, Santos	26,4[illegible]
668	313	Cevera, Octaviano	37,[illegible]
696	91	Cepeda, Rafael	93,[illegible]
703	98	Cevera, Miguel	[illegible]
708	103	Castro, Ma. Manuela de	[illegible]
755	124	Cortées, José Ma	[illegible]
768	137	Cifuentes, Cruz	[illegible]
794	163	Castro, Juan	[illegible]
705	100	Delgado, José Olallo	[illegible]
310	250	Elquezabal, Rosa	[illegible]
775	144	Elquezabel, Manuel	[illegible]
308	248	Flores, Gertrudes	[illegible]
341	281	Flores, Jesus	[illegible]
652	297	Flores, Antonio Salinas	[illegible]
674	319	Flores, Juan	[illegible]
684	80	Flores, Antonio Cadenas	[illegible]
692	88	Felan, Cecilia	[illegible]
724	119	Frias, Jesus	[illegible]

Index to Piedras Negras claims—Continued.

neral ocket mber.	Notice docket number.	Claimant.	Amount claimed.
771	140	Fuentes, Victoriano	$101,942 00
792	151	Flores, Rafael	256,597 00
297	237	Garza, Felipe de la	121,125 00
298	238	Guevara, Lorenzo	231,429 00
303	243	Gonzales, Francisco Reyes	62,731 00
305	245	Garza, Gregorio	63,983 00
307	247	Garza, Jesus Sanchez	21,102 00
309	249	Gonzales, Geronimo	52,818 00
320	260	Gonzales, Victor	52,225 00
331	271	Gonzales, Gregorio	42,006 50
349	289	Galindo, Martina	33,026 00
354	294	Garza, Jesus Ma. de la	105,811 00
355	295	Gutierrez, Ma. Silvestre	43,390 00
356	296	Garcia, Josefa Elizondo	377,505 00
653	298	Gonzales, Pedro	83,080 00
662	307	Guevera, Alvino	92,124 00
663	308	Gonzales, Anastasio	57,339 00
665	310	Gonzales, Trinotor	61,536 00
669	314	Garcia, Diario	52,387 00
693	89	Gonzales, Dionisio	47,700 00
700	95	Galindo, Ysabel	30,850 00
712	107	Guedea, Francisco	65,680 00
713	108	Gonzales, Francisco	54,095 00
718	113	Garcia Cordero, Gabriel	111,050 00
719	114	Gutierrez, Josefa	24,325 00
722	117	Galindo, Ma. del Pilar	13,286 00
725	120	Garcia, Maximo	51,869 00
763	132	Gonzales Salinas, Dolores	79,454 00
784	153	Galindo, Clara	47,651 00
785	154	Garcia Vela, Antonio	53,336 00
788	157	Garcia, Ma. del Refugio	35,119 00
795	164	Garcia, Benito	63,142 00
797	166	Garza, Ma. M. de la	174,932 00
799	168	Garcia, Coleto	92,270 00
901	173	Gualdarrama, José	83,375 00
293	233	Hernandez, Ma. Juana	127,210 00
295	235	Herrera, Francesca	33,145 00
328	268	Hernandez, Martina	41,822 00
689	85	Herrera, Jesus Ma	46,350 00
704	99	Herrera, Clemente	72,688 00
720	115	Hernandez, Eufemia	44,500 00
772	141	Hernandez, Rafael	28,655 00
778	147	Hernandez, Olivarez	38,360 00
780	149	Hernandez, Francisco	38,653 00
791	160	Hernandez, Ma. Dolores	69,965 00
304	244	Jimenes, Melchora	107,786 00
694	90	Jimenes, José	42,140 00
301	241	Loy, Santos	63,105 00
332	262	Longoria, Juana	33,092 00
335	275	Losoya, Jesus	43,010 00
340	280	Lopez, Juan N	42,642 00
666	311	Luna, Severo de	33,445 00
667	312	Losoya, Refugio	57,990 00
687	83	Lopez, Marcelino	83,750 00
717	112	Luna, Maria Juana de	33,600 00
721	116	Losoya, Michaela	26,250 00
756	125	Lara, Santiago	95,338 00
757	126	Leon, Feliciano de	152,858 00
903	174	Longoria, Maria Rita	12,190 00
321	261	Moya, Delores	53,580 00
323	263	Martinez Manuela	41,675 00

Index to Piedras Negras claims—Continued.

General docket number.	Notice docket number.	Claimant.	Amount claimed.
329	269	Martinez, Crescenciana	$52,259 00
334	274	Montes, Antonio	52,969 00
346	286	Muzquiz, Luis	51,797 00
348	288	Menchaca, Clemencia	21,312 00
352	292	Menchaca, Ma. del Refugio	99,775 00
659	304	Martinez, Jose Ma	73,867 00
675	220	Mesa, Jesus	35,389 00
716	111	Martinez, Pedro	47,235 00
759	128	Muñoz, Angelita	85,990 00
760	129	Mesa, Jesus	37,475 00
767	136	Mesa, Maria Ygnacia	58,645 00
789	158	Moya, Nazario	49,450 00
796	165	Martinez, Maria Ygnacia	24,594 00
338	278	Nuncio, José Ma	43,808 00
723	118	Ortiz, Julian	41,870 00
764	133	Olvera, Guadalupe	36,846 00
299	239	Patiño Martinez, Juan José	54,847 00
324	264	Patiño, Nonato	41,641 00
327	267	Prado, Luis	31,371 00
342	282	Perez, Socorro	75,764 00
654	299	Perez, Francisco	32,525 00
657	302	Perales, Ramon	70,024 75
661	306	Perez, Manuel	111,225 00
702	97	Pineda, Jesus	30,612 00
709	104	Patiño, Miguel	81,777 00
773	142	Perea, Manuel	94,045 00
774	143	Perea, Ygnacio	48,675 00
790	159	Perez, José Ma	80,177 00
793	162	Perez, Guadalupe	73,847 00
798	167	Perez, Marcelino	48,220 00
800	169	Perez, Ma. Gertrudis	47,225 00
900	172	Palos, Blas	40,910 00
792	161	Quintero, Francisco	50,280 00
302	242	Ramos, Guadalupe	114,077 00
313	253	Ramirez, Simon	55,378 00
318	258	Rodriguez, Manuel	86,243 00
330	270	Reyes, Gabriel de los	10,804 00
333	273	Rodriguez, Julian	73,588 00
345	285	Ramon, Jesus	72,401 00
353	293	Rodriguez, Victoriano	10,224 00
658	303	Rodriguez, Rosalia	53,543 00
672	317	Rodriguez, José Ma	53,657 00
683	79	Ruiz, Maria Juana	54,750 00
699	94	Ramirez, Antonio	89,150 00
701	96	Rodriguez Valdes, Manuel	49,138 00
707	102	Ramirez, Arcadio	38,624 00
710	105	Rodriguez, Ramon	65,350 00
711	106	Rios, Catarino	57,150 00
715	110	Rodriguez, Leonardo	67,065 00
753	122	Rodriguez, Jacinto	71,747 00
761	130	Rios, Hermenijildo	102,790 00
762	131	Robles, Nieves	70,012 00
770	139	Rodriguez, Eleno	52,176 00
781	150	Rodriguez, Rosalia	86,617 00
899	171	Rios, Julian	8,585 00
294	234	Sandoval, Dimas	43,139 00
296	236	Sandoval, Luis	54,675 00
325	265	Salinas, Dalores	89,775 00
332	272	Sauceda, Antonia	93,185 00
337	277	Sanchez, Encarnacion	62,000 00
339	289	Sulaica, Francisca	6,780 00

Index to Piedras Negras claims—Continued.

General docket number.	Notice docket number.	Claimant.	Amount. claimed.
343	283	Sanchez, José Maria	$63,886 00
673	308	San Miguel, Domingo	13,752 00
680	76	Salinas, Jesus	63,200 00
682	78	Salinas, Gregorio	39,660 00
686	82	Salazar, Gaspar	33,840 00
690	86	Salinas, Francisco	83,020 00
691	87	Santos, Vicente de los	25,793 00
706	101	Sanchez de Fernandez, Anto	50,450 00
752	121	Salinas Guevara, Jesus	59,373 00
754	123	Salinas, Facundo	77,947 00
758	137	Serda, Vidala de la	56,300 00
765	134	Salazar, Maria de la Luz	43,861 00
769	138	Sauceda, Miguel	71,341 00
776	145	Solis, Eduardo	48,528 00
777	146	Salinas, Guadalupe	45,264 00
779	148	Soto, Francisco	57,548 00
783	152	Salinas, Ma. Antonio	70,272 00
801	170	Sosa, Maria Talesforo	31,302 00
306	246	Teposte, Marganto	24,640 00
655	300	Tijerina, Julian	58,178 50
670	315	Trejo, Casimiro	45,416 00
679	75	Tauns, Pedro	65,550 00
685	81	Tijerina, Juan José	57,402 00
688	84	Tauns, Maria Delila	38,300 00
786	155	Tijerina, Maria Antonia	38,943 00
787	156	Trejo, Josefa	53,337 00
676	321	Urtsaga, Antonio	93,060 00
300	240	Villareal, Pedro	63,501 00
311	251	Valades, Pedro	93,262 00
312	252	Valades, Estanislaus	82,871 00
314	254	Valades, Silverio	84,000 00
326	266	Villareal, Onofre	113,736 50
671	316	Vazquez, Trinidad	12,522 00
677	322	Valdes, Bernardo	33,619 00
678	323	Valades, Silverio	192,618 00
681	77	Vara, Cecilio	54,802 00
697	92	Villareal, Miguel	53,640 00
698	93	Van, Adelaida	32,620 00
766	135	Valdes, Nicanor	66,677 00
315	255	Yturriaga, Angel	31,802 00

Extract from the Washington Republican of April 18, 1872.

THE JOINT COMMISSION OF THE UNITED STATES AND MEXICO.—The commissioners announced yesterday their decision disposing of the class of cases known as the Piedras Negras claims, some one hundred and ninety in number, against the United States, arising out of the sacking of the Mexican town of Piedras Negras by two companies of Texas militia in October, 1855. An award of $50,000 is made in favor of the Mexican Government, to be by that government distributed among one hundred and fifty of the claimants, as named in the list prepared by the commissioners, or such of them as may be found meritorious; while the demands of forty of the claimants, as named by the commissioners, are rejected outright.

Additional evidence being offered, both for the claimants' and defendants' governments, it was announced by the commissioners that, under the operation of the order closing all cases on the 1st of April, they would decline to receive evidence, except of substantial cause shown in each case, accompanied by satisfactory explanation of the delay in offering it. For want of this explanation, they declined to receive the evidence offered in several cases.

The large class of cases against the United States known as the "Indian depredation cases" was submitted to the consideration of the commissioners upon the legal points involved.

[44th Congress, 2d session.—House Ex. Doc. No. 14.]

Letter from the Secretary of War, concerning accounts of the State of Texa

WAR DEPARTMENT,
Washington, D. C., December 26, 1876.

SIR: I have the honor to inform the House of Representatives, i answer to a request from its Committee on Military Affairs, that thi Department possesses no evidence concerning the accounts of the Stat of Texas, further than the statements on two abstracts which are fo $1,536,487.62, and which were received from the committee, and excep accounts for $223,143.89. The latter were examined at this depart ment in the year 1871, and they were reported upon in full, as appear in House Executive Document No. 277, second session Forty-secon Congress.

The papers received are returned, as requested, inclosed herewith.

Very respectfully, your obedient servant,

J. D. CAMERON,
Secretary of War.

The SPEAKER *of the House of Representatives,*
Washington.

HOUSE OF REPRESENTATIVES,
Washington, D. C., July 21, 1876.

SIR: Pursuant to direction by the Committee on Military Affairs of the House of Representatives, I herewith transmit to you a joint resolution (H. R. 23), and certain papers accompanying the same, providing for the payment to the State of Texas for moneys expended in frontier defense, referred to this committee, together with a copy of a resolution adopted by the committee, requesting that you cause the accounts to be inspected and report thereon the "amount really due the State of Texas on account of the same."

The original papers herewith transmitted you will please preserve and return with your response.

Very respectfully, your obedient servant,

A. S. WILLIAMS,
Acting Chairman.

Hon. J. D. CAMERON, *Secretary of War.*

Referred to Maj. Thomas H. Bradley for investigation and report.
By order of the Secretary of War.

H. T. CROSBY,
Chief Clerk.

JULY 25, 1876.

Respectfully returned with report that there are no accounts found in the War or Treasury Departments from the State of Texas for reimbursement on account of H. R. 23, current series, except those for $223,143.89, reported upon in 1871. (H. Ex. Doc. 277, 2d sess. 42d Congress.)

THOMAS H. BRADLEY,
Brevet Captain, U. S. A.

WAR DEPARTMENT, *December* 23, 1876.

FORT BROWN, TEXAS, *December* 3, 1875.

[Extract.]

DEAR GENERAL: * * * * *

We have had quite an excitement lately. Will send you the reports of the officers concerned as soon as they are all received. I understand that McNally goes to San Antonio shortly, and he may be able to tell you all about it. The Mexican authorities promised to return all the cattle, but did not. They did send over a small part of the stock, enough to swear by, I suppose. Roundlett having hit one herd and pitched into the thieves, caused them to drop two other herds, I understand. One was dropped on the 18th ultimo not far from the river (about 300 head 'tis reported), the other is reported to have been very large. 'Tis said that there were over forty thieves in these raids, that is, on this side; the entire outfit was ready to receive them on the south bank. The mail-rider was captured near Las Cuevas, and detained some twelve hours, to prevent him reporting the raid to Captain Randlett, at Edinburg. I think cattle-stealing is going on quite as rapidly as ever. The river is very low and there is no trouble in crossing cattle. About forty of those returned were King's, I understand.

Yours,
(Signed) J. H. POTTER.

Gen. E. O. C. ORD,
U. S. Army, San Antonio, Tex.

A true extract.
(Signed) HUGH G. BROWN, *A. D. C.*

Statement of amounts paid by the State of Texas for frontier protection from January 28, 1855, to January 28, 1861.

	Amounts paid.
For pay of companies under Captains Callahan, Benton, and Henry (act of December 17, 1855)	$15,571 01
For pay of mileage, subsistence, and volunteers under Captains Callahan, Benton, and Henry (act of December 17, 1855)	5,750 60
For pay of paymaster, three companies volunteers called out (act of December 17, 1855	100 00
For pay of six companies called out by General Smith (act of January 14, 1856)	46,106 88
For balance expenses on account contracts for six companies volunteers called out by Smith (act January 14, 1856)	4,026 43
For pay of Capt. William Tom's company (act of August 30, 1856)	1,494 72
For pay of Capt. L. English's company (act August 30, 1856)	1,764 86
For pay of Capt. William G. Tobin's company (act of August 30, 1856)	917 46
For pay of supplies Captain Tom's company (act of August 30, 1856)	408 97
For pay of paymaster of Captains Tom's and English's companies (act of August 30, 1856)	100 00
For pay of three companies minute-men under Sansom, Davenport, and Black (act of January 13, 1857)	4,000 00
For the better protection of the frontier (act of January 27, 1857)	71,839 03
For pay of four companies under Captains Carmack, Connor, Hodge, and Frost (act of November 17, 1857)	18,867 62
For pay and supplies for Capt. G. H. Nelson's company volunteers (act of December 14, 1857)	14,655 40
For pay and subsistence of Captains Ford's, Bourland's, and Brown's companies, and pay of peace commissioners (acts of January 12 and February 8, 1860)	60,480 00
For pay of necessary expenses incurred by Captain Tobin's company (act of January 12, 1860)	9,748 28

For pay for protection of the frontier (act of February 3, 1860)	$177,144 16
For pay and subsistence of troops on Rio Grande (act of February 15, 1860)	36,966 49
For pay of supplies furnished troops on frontier (act of February 8, 1861)	21,602 16
For pay of supplies of Captain Williams's company in 1858 and 1859 (act of February 11, 1861)	7,497 15
For pay of Captain Williams's company in 1858 and 1859 (act of April 1, 1861)	10,070 82
Total	509,111 98

I, Stephen H. Darden, comptroller of public accounts for the State of Texas, hereby certify that the above is a true and correct statement of expenditures on account of "frontier protection," as appears by the records of this office.

Witness my hand and impress of official seal, at Austin, Tex., this 23d day of December, A. D. 1875.

[SEAL.] STEPH. H. DARDEN,
Comptroller.

Statement of amounts paid by the State of Texas for "frontier protection." Troops called out by Governors A. J. Hamilton, E. J. Davis, and Richard Coke.

Payments made volunteers called out by Gov. A. J. Hamilton, October 14 and 20, 1865 (act of November 12, 1866)	$3,570 76
Payments made volunteers called out by Gov. E. J. Davis under acts of June 13, 1870, and November 25, 1871	651,976 14
Payments made volunteers called out by Gov. Richard Coke under act of April 10, 1874:	
Amount paid from appropriation (act of May 4, 1874)	299,986 18
Amount paid from appropriation (act of March 15, 1875)	71,842 59
Total	1,027,375 67

I, Stephen H. Darden, comptroller of public accounts for the State of Texas, hereby certify that the above is a true and correct statement of expenditures on account of "frontier protection," as appears from the records of this office.

Witness my hand and impress of official seal, at Austin, Tex., this 23d day of December, A. D. 1875.

[SEAL.] STEPH. H. DARDEN,
Comptroller.

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, December 24, 1875.

To the Texas delegation in Congress, Washington, D. C. (care of Hon. S. B. Maxey):

GENTLEMEN: I have the honor to call your attention to the following matters of interest to the State, requiring attention at the National Capital:

1. The Government of the United States holds a balance of $101,113.27 due the State of Texas from funds left in the hands of the former to pay the debt of the republic of Texas. No claim is believed to have been presented against this fund within the last fifteen years, and the

debt of the republic of Texas is believed to have been fully settled. The State needs the balance of this fund, and ought to have it.

2. I send inclosed statements from the office of the comptroller of public accounts, showing amounts expended by the State of Texas for frontier defense from the 28th of February, 1855, to the commencement of the late civil war, and from the commencement of Gov. A. J. Hamilton's administration, after the war, to date, the amount aggregating $1,536,487.62. It will be remembered that by act of the legislature of Texas, approved February 1, 1856, the State withdrew and abandoned all claims against the Government of the United States growing out of Indian depredations prior to the 28th of February, 1855. This large amount of money is justly due from the National Government to Texas; and I hope that such steps as to you may seem wise may be taken at once for the assertion of this claim.

3. I inclose a public-debt statement from the Treasury Department for November, 1875, which shows that twenty-one of the Texas indemnity bonds and interest thereon are still unpaid. These bonds are not in our treasury, and most probably were stolen during the war, and may be destroyed, or held by parties who fear to present them. I would be glad to know what proceedings are necessary, or will be required, on the part of the State or her officers, to enable her to demand payment of these lost bonds at the Treasury, and, so far as you can do so, to aid in accomplishing the collection of the money.

4. I sent three days ago to each of your delegation copies of Adjutant-General Steel's report on Rio Grande troubles; also, copies of the memorial of the late constitutional convention of Texas on the same subject, and refer you to the action of last session of the fourteenth legislature on the same subject heretofore furnished. I beg, also, to refer you to copies of letter from General Potter, commanding at Brownsville, to General Ord, commanding the department, herewith inclosed, in that connection, and to suggest that if the Government of the United States does not afford defense and security for the people of that border against Mexican invasions it will be impossible to restrain the people much longer from organizing and following the raiders into Mexico, and retaliating summarily upon the Mexican border. Our people have been plundered there until they ought not to submit to it longer. General Ord, the able and efficient commander of the department, is doing all he can to protect our people, but he is utterly powerless. A police force, irregular troops, rather than a strictly military organization, is required there.

If the President would take into the service of the United States Captain McNelly, with say three hundred and fifty men (five hundred would be better), such as he would recruit, they would protect that country. They will do service such as the officers and men of the United States Army *cannot or will not* do. They never have done any good against the predatory bands of robbers who are devastating that country, and never will. None but Texas troops have ever checked their operations at all. If the United States Government will not protect that border, the State must and will; but it is a burden which she ought not to bear. I do hope that you will leave nothing undone, no effort unmade, to procure the requisite relief. On this subject I refer you, also, to General Ord's last report, and believe I can assure you of any assistance you may desire from him in procuring measures of relief.

Very respectfully, your obedient servant,

RICHARD COKE,
Governor of Texas.

[H. Res. 23.]

IN THE HOUSE OF REPRESENTATIVES, *January* 6, 1876.—Read twice, referred to the Committee on Military Affairs, and ordered to be printed.

Mr. REAGAN, on leave, introduced the following joint resolution:

JOINT RESOLUTION authorizing and directing the Secretary of the Treasury to pay to the State of Texas one million five hundred and thirty-six thousand four hundred and seventeen dollars and sixty-two cents on account of moneys paid out by said State for frontier defense.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to the State of Texas, the sum of one million five hundred and thirty-six thousand four hundred and seventeen dollars and sixty-two cents, with lawful interest thereon, to reimburse said State for moneys paid as compensation and for supplies for troops for the defense of the frontiers of Texas from the twenty-eighth day of February, eighteen hundred and fifty-five, to the commencement of the late civil war, and from the commencement of the administration of the State government by Governor Andrew J. Hamilton to the present time.

[House of Representatives. Mis. Doc. No. 185. Forty-fourth Congress, first session.]

Joint resolution of the legislature of Texas relative to the protection of the frontier of said State, and compensation for past expenditures by the State in that behalf.

JULY 17, 1876.—Referred to the Committee on Military Affairs and ordered to be printed.

SECTION 1. *Be it resolved by the legislature of the State of Texas*, That the Federal Government owes to Texas protection of her exposed frontiers, by virtue of her right as a member of the Union to an equal participation in the benefits and blessings which its Constitution guarantees to all the States, among which is defense against invasion; and the republic of Texas, upon her accession to the Union, having ceded to the United States all public edifices, fortifications, barracks, ports and harbors, navy and navy-yards, docks, magazines, arms, armaments, and all other property and means pertaining to the public defense, the faith of the United States thereby became solemnly pledged to extend to the frontiers of the said republic of Texas the most ample protection, without which, as a condition-precedent, Texas would have had no sufficient inducement to surrender her independent political position.

SEC. 2. That our Senators in the Congress of the United States are hereby instructed, and our Representatives are hereby requested, to present to Congress now assembled these resolutions of the legislature of the State of Texas, and to urge upon that body the enactment of such laws as will secure to our frontiers ample military protection against Indians and Mexican freebooters; the military forces of the United States on our borders being too weak under the most effective command to afford such protection, and the State of Texas being compelled, in defense of the property and lives of her citizens, to maintain in the field a considerable military force at her own expense.

SEC. 3. That our said Senators be instructed and our Representatives

requested to present and urge before Congress the passage of a bill reimbursing the State of Texas for the large appropriations of money ture, from time to time, have necessarily been made by her legislature, because of the failure of the Federal Government to provide sufficient protection to our frontiers.

SEC. 4. That the governor of the State be requested to transmit to our Senators and Representatives in Congress a copy of these resolutions, together with an itemized statement of all expenditures made by the State in the protection of her frontiers.

SEC. 5. The fact that Congress will adjourn at an early day, and the necessity for prompt action, requires that this joint resolution take effect, and it is hereby declared that it do take effect, from and after its passage.

Approved July 6, 1876.

THE STATE OF TEXAS,
DEPARTMENT OF STATE.

I, A. W. De Berry, secretary of state for the State of Texas, do hereby certify that the above and foregoing is a true and correct copy of the original enrolled senate joint resolution No. 169, passed by the fifteenth legislature of the State of Texas, and now on file in this department.

In testimony whereof I have hereunto signed my name and affixed the seal of State, at the city of Austin, this the 7th day of July, A. D. 1876.

[SEAL.]

A. W. DE BERRY,
Secretary of State.

HOUSE OF REPRESENTATIVES,
Washington, D. C., July 21, 1876.

At a regular meeting of the Committee on Military Affairs of the House of Representatives, held June 21, 1876, the following resolution was adopted:

Resolved, That the joint resolution (H. R. 23) for the payment of the State of Texas for expenses incurred in her defense against incursions from Mexico, and the accounts filed therewith, be referred to the Secretary of War, with the request that he will have the amounts for said expenses duly inspected, and make report thereon of the amount really due the State of Texas on account of the same.

A copy.—Attest:

JAS. A. DAWSON,
Clerk Committee Military Affairs, House of Representatives.

O

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

COMMUNICATING,

In answer to a Senate resolution of January 15, 1878, *a copy of the report of Indian Inspector E. C. Watkins, in relation to the consolidation of Indian agencies in the Colville country.*

JANUARY 24, 1878.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, January 23, 1878.

SIR: In compliance with the terms of a resolution of the Senate, adopted January 15, 1878, I transmit herewith a copy of the report of Indian Inspector E. C. Watkins, dated November 26, 1877, relative to the establishment of a large Indian reservation or territory in the Colville country, for the use and occupation of a portion or all reservation Indians now on the various reservations in the State of Oregon and in the Territory of Washington.

I inclose also a copy of a letter addressed to me by the Commissioner of Indian Affairs on the 22d instant, forwarding a copy of said report, and recommending the adoption, in part, of the plan of the inspector.

I am of opinion that the proposed consolidation of agencies will be of advantage both to the government and to the Indians, and I respectfully suggest such appropriate legislation by Congress as will enable the department to carry it into effect.

I have the honor to be, sir, with great respect, your obedient servant,

C. SCHURZ,
Secretary of the Interior.

The VICE-PRESIDENT.

OFFICE QUINAIELT INDIAN AGENCY,
Washington Territory, November 14, 1877.

SIR: In a conversation with Col. E. C. Watkins, inspector of Indian affairs at Olympia, in September last, I was informed by him of his views in regard to the consolidation of this agency with Neah Bay, on the ground of the lack of interest on the part of the Indians in support of the school and general improvements, and the inaccessibility of the agency; also stating as his opinion that this agency could be abandoned without damage to the service.

I will state that I concur with Colonel Watkins in this opinion. I have recommended the consolidation of these two agencies, as you can see by my annual report for 1876, page 142. I have not felt satisfied with the advancement of these Indians; yet, under my peculiar situation, I have done all I could.

There are four tribes of Indians parties to the treaty (treaty of Olympia), Quinaielts, Queets, Hohes, and Quillehutes. All of the last three live north of this agency, in the order named; the distance separating each tribe is from sixteen to twenty miles, each tribe living on the stream from which they take their name, and on which they depend for salmon, on which they live a great portion of the year; no one stream affording sufficient for all four tribes, were they confined to it. The only means of travel from here to these tribes is along the coast, at low tide, or by sea, in canoes. In stormy weather there is no communication. None of these tribes will give their children to the schools, and the last two tribes are more convenient to Neah Bay than here.

The Quinaielts are the only Indians near the agency, or who can be reached at any time; they live on the river, scattered from its mouth up the stream about twenty miles. This tribe numbers about 122 souls. Their mode of travel is by canoe, which at times is difficult. They are the only ones who send to the school, and they do not support it heartily, and owing to the peculiar surroundings I have not felt it prudent to attempt to compel them to send their children, but have endeavored to convince them of the benefit to their children in the future, but have only met with limited success. The school now has an attendance of thirteen scholars, who are constantly under the care of the teachers, and are taking more interest in their studies than formerly. I have full confidence in the teachers, yet the results are not satisfactory, and for lack of interest on the part of the Indians the work drags.

These Indians do not farm to any extent. Some have small patches upon which they raise a few vegetables, and a small amount of hay; but the land is so heavily timbered and poor that they could not make a support from it, so they depend on fishing principally.

In view of the above facts, and also as to the Quillehute tribe, numbering over 250 souls, have already been placed under the charge of the agency at Neah Bay, as per Commissioner's letter July 3, "Cir.," I recommend the consolidation of the other three tribes, believing it to be for the interest of the government, and that the change will not injure the Indian service.

Very respectfully, your obedient servant,

G. A. HENRY,
Special Indian Agent.

HON. COMMISSIONER INDIAN AFFAIRS.

WASHINGTON, D. C., *November* 26, 1877.

SIR: In accordance with verbal instructions from yourself and the honorable Secretary of the Interior, I have the honor to submit the following report relative to the consolidation of the Indians of Oregon and Washington Territory.

In my recent inspection of the agencies in the country named I gave this subject as careful consideration as the time at my disposal would permit, availing myself of the views of officers and other living in the locality, whom I deemed best qualified to judge of this question.

The State of Oregon and Washington Territory are naturally divided

into two parts by the Cascade range of mountains, extending north and south from British America to the southern line of Oregon. The only natural pass or highway connecting the two parts is the Columbia River. North of the Columbia, in Washington Territory, no stream breaks through these mountains, and no road has yet been constrncted over them. They have always formed a boundary-line between the Indians of the coast and those of the interior, and would prove a serious obstacle in the way of moving Indians from one side to the other.

The Indians of the two localities are also very dissimilar in their customs, habits of life, and means of subsistence, and have little or no intercourse with each other. Those of the coast are accustomed to water; are skillful in constructing and managing canoes, and subsist mostly on fish; while those of the interior are more athletic, skillful horsemen, and subsist on game, berries, and the products of the soil. For these and other reasons that readily present themselves, it might not be advisable, for the present, to attempt to consolidate the two classes. But gradual consolidation of the Indians on the coast until they shall inhabit but one reservation, I think practicable, and believe it would be for their best interests and result in a great saving of expense to the government. Those of the interior, I think, might ultimately be brought together on one or two reservations.

On the coast of Washington Territory, the straits of Fuca, and Puget Sound there are at present thirteen reservations and five agencies. The Indians occupying them number about 6,000. All the treaties now in force with them contain provisions looking to the consolidation, at some future period, of all the bands in that section on a single reservation. The Indians generally understand this provision of their treaties, and, while they are generally opposed to being moved, are, in a degree, prepared for it. For the present, however, I think two reservations should be retained: one on the ocean-coast, for the exclusively fish-eating Indians, and one on the sound, for those who have been or may be induced to engage in agricultural pursuits. For the first class Neah Bay is the only suitable reservation. The Indians from Shoalwater Bay and Quinaielt reservations should be located there. Nearly all of these two bands are less than a hundred miles by the coast from Neah Bay. They are the same class of Indians, with similar habits and mode of life. I think they can readily be induced to move, as they are accustomed to roam up and down the coast, fishing and hunting the sea-otter, sometimes extending their trips to the point named. The expense of their removal would be trifling, and should be mostly confined to erecting houses for them on the Neah Bay reservation. They have but very little property to be moved save their matting and limited cooking-utensils, and these could be packed in their canoes and taken up the coast by the Indians themselves.

Probably some of the S'Komish, and perhaps a few others, from the bands on the sound, would prefer to go to this reservation; and such as strongly prefer this location might be permitted to go there, although all should be encouraged to go upon the reservation selected for its agricultural advantages, upon the assumption (thoroughly proved by trial) that Indians are much more rapidly civilized by means of an agricultural life than any other.

I am aware that various opinions have been expressed by commissioners, inspectors, and superintendents, who have visited the reservations on the sound and reported upon the question of consolidation, as to the advantages for agricultural purposes of reservations named. For the second, or agricultural class, I think the Puyallup reservation,

however, far the best adapted for consolidation, for the following reasons:

1st. It is centrally located.

2d. It contains 18,061½ acres, fully two thirds of which is good agricultural land, the greater portion being exceedingly fertile. This is doubtless six times as much good agricultural land as is contained in any other one reservation on the sound. It has an abundance of timber, is well watered, and about eight hundred acres are already under cultivation and occupied by Indians. It has been surveyed into forty acre lots, and about one hundred and forty have been allotted to heads of families and are now occupied and partially cultivated by the Indians.

3d. A branch of the Northern Pacific Railroad runs through it, to the coal-fields, twenty-five miles above, thus affording ready access to market for all the surplus productions of the reservation.

Under proper management, I think the Puyallup reservation susceptible of maintaining 4,000 Indians from the products of the soil. Probably not over three-fourths of this number would, however, be gathered on this reservation. I estimate that 2,000 would naturally go to Neah Bay, 1,000 would avail themselves of the provisions of the Indian homestead act, which would leave not to exceed 3,000 to be gathered on to this reservation. By this plan of consolidation, eleven reservations would be vacated in this locality, viz, Shoalwater Bay, Quinaielt, S'Ko-mish, Chehalis, Squakshin, Nesqually, Muckleshoot, Port Madison, Lummi, Swinormish, and Tulalip.

Some time would be required to accomplish this work, depending largely upon the amount of funds appropriated for the purpose, and the energy and ability displayed in the work of consolidation.

Honest, humane, energetic, and able men would be required to accomplish this work successfully and economically. The amount required to effect the removal, and afford the necessary facilities for beginning life in the new locations, I should estimate at $100,000.

The lands thus vacated, if put in market, would doubtless sell for, at least, $1,000,000. [But in all cases, on all the reservations to be vacated, where Indians are farming and are self-supporting, I would recommend that they be allowed and encouraged to remain in their present location, securing title to their land under the act above referred to; and where Indians having improvements made by themselves do not desire to become citizens, but prefer to go upon either of the reservations named, that they be given improvements equal in value to those they are required to abandon, in the new location.

East of the Cascade Mountains, in Washington Territory, there are two reservations only, the Yakama and the Colville. The former contains 800,000 acres of land, about one-half of which is excellent for agricultural purposes. It is surrounded by mountain-ranges except down the valley of the Yakama River, toward the Columbia, thus being separated by natural barriers from the surrounding white settlements. The reservation has been surveyed into forty-acre lots, and nearly all of the Indians now belonging on it are located on separate farms, are cultivating the soil, and entirely self-supporting. The uncultivated land produces a heavy growth of grass, yielding from two to three tons of hay per acre when cut, and affording the best of pasturage for stock. In my opinion, it is by far the best adapted for consolidation and permanent location for Indians of any reservation in Oregon or Washington Territory. All of the roving bands along the Columbia and Snake Rivers have been ordered to that reservation, have promised to go, and many have already

gone. The agency comprises what was formerly the military post of Simcoe, and is sixty-five miles north of The Dalles, on Columbia River.

The Warm Spring Indians of Oregon, I think, should be moved to this place. Their reservation is about seventy-five miles south of The Dalles, is sterile and volcanic, nearly worthless for agricultural purposes. These Indians number nearly five hundred. They have frequently been talked to about removing to the Yakama. When I visited them, last month, some told me they were willing to go; others had various objections, but, with proper management, all can be induced to remove willingly. Improvements should be made for them on the Yakama reservation equal in value to those left behind, and such as desire to become citizens and are qualified for the change should be allowed to remain and secure homesteads where they now are. I estimate the cost of their removal and location at $20,000.

The Umatilla reservation, near the east line of Oregon, is excellent agricultural land, and surrounded by cultivated farms occupied by white people. The Umatilla Indians, however, cultivate but very little land. They have many horses and cattle, but are strongly addicted to roaming. They would be improved by contact with Indians engaged in farming. Some of them would doubtless prefer the Nez Percés reservation, in Idaho, to the Yakama. But, with fair treatment, I think the greater number could be induced to go peacefully to the latter location. I estimate the cost of their removal at $30,000. They number about 689.

The Colville reservation comprises all the country between the Columbia and Okinokane Rivers, extending north to the British line. It contains 2,800 000 acres. But few Indians have ever resided on it. With the exception of a little band of Okinokans, who live along the river of the same name, on the western border, and a little squad of Lakes, who live near the British line to the north, all on the reservation live along the Columbia River, near the eastern line.

The greater portion of the entire reservation is mountainous and contains very little agricultural land. A large majority of the Indians belonging to it have been in the habit of roaming over the country to the east of the Columbia River. Many are cultivating land in this locality, and others work for white farmers. They object to going into the mountains of their reservation, saying they cannot live there. When I met them, in August last, all the northeast bands united in asking for a strip of land six miles wide, lying east of the Columbia River and adjacent to it, extending from the British line on the north to the Nemchin Creek on the south. They promised to go upon this strip of land, and most of them have gone, as I am informed.

The Spokanes and Pelouse I located north of the mouth of the Spokane River, giving them a tract about twenty miles square adjoining the Colville reservation. Both of these tracts are described in my report of the conference held with those Indians, and both were recommended to be set apart for their use. All of the Colville reservation except a strip ten or twelve miles wide adjacent to Columbia River might be restored to the public domain without loss to the Indians. The small part retained, with the two additions recommended, would form a comparatively small reservation, upon which are now located nearly all the Indians in the extreme eastern part of Washington Territory. I would recommend that they be not disturbed for the present. Ultimately they might be removed to the Yakama. They were much excited over the outbreak of Joseph and his band, and discussed their rights and wrongs very much last summer. There are not lacking white men to incite them to oppose the wishes of the government, whatever they may be. They

number about 3,000, and any attempt to move them at present wou incur large expense, and might lead to serious trouble. They occupy country not needed by the whites, and which probably will not be need for many years to come.

The Grand Ronde reservation, near the coast of Oregon, conta 61,440 acres. A fair proportion is excellent farming-land, and the dians occupying it are good farmers. Nearly all talk the English la guage, and are among the most civilized Indians of the United Stat Their reservation has been surveyed, and is sufficiently extensive accommodate all of the coast Indians in that State. I recommend t all the Indians now living along the coast, who are not prepared citizenship, or do not desire to become citizens be concentrated the Very many, I think one-half, are practically civilized, engaged in fa ing, and self-supporting. These do not need the care of an agent, a should be encouraged to become citizens and secure homesteads. this way the government would be rid of the guardianship of a la class at once, and the Indians themselves would be improved and th rights better protected by the change. So long as they are held sim as wards, it can hardly be expected they will pass much beyond th present state of civilization.

The Siletz agency could be abandoned, and after homestead selecti are made by the Indians the reservation could be opened up for wh settlement.

The coast Indians are, probably, all within one hundred miles fr the Grand Ronde reservation. The cost of removal would be slig But they should be provided with houses, farming-tools, &c., at Gra Ronde, which would cost much more. There are about 1,600 India on the coast, outside of Grand Ronde. Of these, I estimate the ci zen portion would represent one-half, leaving not to exceed eight hu dred to be gathered upon the reservation. The cost of removal a locating, including the construction of houses and the purchase of far ing-tools, I would estimate at $50,000. The Klamath and Malheur I dians occupy mountain reservations, in a degree remote from whi settlements, and I would not advise a change at present.

The consolidations thus briefly outlined and recommended in th communication I believe to be entirely practicable. Some oppositi would be encountered from a portion of the Indians to be moved, doul less. They are generally very strongly attached to their homes and t country in which repose the bones of their fathers. The removal mu be conducted with care, in order to be successful, and judicious sele tions of men for the purpose should be made. In all cases, they shoul be provided with houses and other improvements, equal in value t those they abandon, and such as have no houses or other property i their present location should be assisted in beginning a more civiliz life. Before the reservations to be abandoned are opened for settlemen by white people, such Indians as are qualified by their intelligence industry, and ability to provide for themselves and families to becom citizens should be encouraged and assisted in selecting homesteads i the territory to be restored to the public domain.

The reservations upon which the Indians are consolidated should b placed in charge of capable agents, assisted by an efficient corps of em ployés, so long as such service is required. Good schools should b maintained, and compulsion resorted to, if necessary, to compel the at tendance of Indian children. The government is the guardian, the In dian the ward. It is the duty of the guardian to act for the best inter ests of the ward, without regard to the latter's wishes; and, as it is

ceived that the interest of the government and good of the Indians quire the relation of guardian and ward to terminate so soon as the tter are qualified to act independent of guardianship, and as this can ly be reached by civilizing them to such an extent that they may be fely citizenized and incorporated into the body-politic of the nation, is eminently proper that the government should adopt the most rigous means to accomplish this end.

The estimates of expenses incident to the consolidation proposed are necessity crude. The time necessary to accomplish the work may ceed one year, and the appropriations should be so made that unexnded balances will not be required to be covered into the Treasury at e close of the fiscal year unless the work is accomplished.

RECAPITULATION OF RECOMMENDATIONS.

I. That all the Indians west of the Cascade Mountains, in Washingm Territory, be consolidated on the Neah Bay and Puyallup reservaons; the purely fish-eating and those who live exclusively from the roducts of the water on the former, and the agricultural class on the tter.

II. That the Warm Spring Indians and Umatilla Indians of Oregon e removed to the Yakama reservation, in Washington Territory.

III. That the bands of Northeast Washington Territory be consoliated on the Columbia River, above the mouth of the Spokane, upon e territory described in the body of this report

IV. That the Siletz and other Indians on the coast of Oregon be conlidated on the Grand Ronde reservation.

V. That before the reservations thus vacated are restored to the pubic domain such Indians as are qualified for citizenship, and desire to ecome citizens, be permitted to select homesteads from the lands to be acated.

The following are the estimates of appropriations required:

For removing and settling the Indians on the coast of Washington Territory, $100,000.

For removing and settling the Warm Spring Indians on the Yakama reservation, $20,000.

For removing and settling the Umatilla Indians on the Yakama reservation, $30,000.

For settling the bands of Indians in Northeast Washington Territory on the Columbia, above the Spokane, $10,000.

For removing the Siletz and other Indians on the coast of Oregon and settling them on the Grand Ronde reservation, $50,000.

Very respectfully, your obedient servant,

E. C. WATKINS,
United States Indian Inspector.

Hon. E. A. HAYT,
Commissioner of Indian Affairs, Washington, D. C.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 22, 1878.

SIR: I have the honor to submit herewith a copy of the report of Inspector E. C. Watkins, dated November 26, 1877, concerning the con-

solidation of the Indians of Oregon and Washington Territory, together with copy of letter of November 24, from G. A. Henry, special Indian agent at the Quinaielt agency, Washington Territory.

I entertain no doubt of the advisability of consolidating these Indians. I am clearly of the opinion, however, that it will be unwise policy to encourage those Indians who are now farming to remain in their present locations. They should all be consolidated upon the reservation selected, and the title, which may be given to them in severalty, should be made inalienable. The experience which has heretofore attended the granting of individual titles to Indians in localities where they are surrounded by the whites, versed in all the machinations by which the Indians are systematically circumvented and ruined in property and discouraged in civilization, compels me to disapprove of so much of Inspector Watkins's recommendation as is included in brackets on pages —— and — of said copy of his report.

Such consolidation, accompanied with individual proprietorship, would relieve the country outside of their presence, and would enable the government to exercise a system of direct protection, education, and civilization, of which the Indians are in imperative need, and without which their general improvement cannot be anticipated.

With these brief suggestions, and except as above stated, I heartily recommend the speedy adoption of the proposed plan.

Very respectfully, your obedient servant,

E. A. HAYT,
Commissioner.

HON. SECRETARY OF THE INTERIOR.

MESSAGE

FROM THE

RESIDENT OF THE UNITED STATES,

COMMUNICATING,

n answer to a Senate resolution of December 10, 1877, *information in relation to certain lands ceded to the United States by the confederate bands of the Ute Nation of Indians.*

ANUARY 29, 1878.—**Read, referred to the Committee on Indian Affairs, and ordered to be printed.**

To the Senate of the United States:

In response to a resolution of the Senate of the 10th ultimo, I transmit herewith copies of reports of the Commissioners of Indian Affairs and General Land Office, dated 9th and 21st instant, respectively.

R. B. HAYES.

EXECUTIVE MANSION,
January 29, 1878.

DEPARTMENT OF THE INTERIOR,
Washington, January 24, 1878.

SIR: I have the honor to acknowledge the receipt, by your reference of the 12th ultimo, of Senate resolution of the 10th ultimo, requesting to be informed if payments have been made to the Ute Indians as required by the fourth article of the agreement of 1873, and whether the lands ceded by said Indians have been and are occupied by citizens of the United States.

In reply, I transmit, herewith, copies of reports of the Commissioners of Indian Affairs and General Land Office, dated 9th and 21st instant, respectively.

The resolution of the Senate is herewith returned.

I have the honor to be, your obedient servant,

C. SCHURZ,
Secretary.

The PRESIDENT.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 9, 1878.

SIR: I am in receipt, by department reference, of a letter from the President, transmitting a resolution of the Senate, dated the 10th ultimo,

requesting information whether payments have been made to the Ute Indians, as required by the fourth article of the agreement of September 13, 1873, known as the Brunot agreement, and whether the lands ceded to the United States by said Indians have been, and are now, occupied by citizens of the United States.

In reply to the above-mentioned resolution, I have the honor to transmit herewith a statement showing the amount of interest appropriated pursuant to the said agreement, the amount expended for the benefit of said Indians, and the amount remaining in the Treasury, subject to future expenditure; the latter sum being $54,387.79.

In consequence of the failure of Congress to appropriate the sum of $30,000, under the twelfth article of the treaty of 1868 (15 Stats., p. 622), for the subsistence of said Indians during the fiscal year ending June 30, 1875, the interest-fund was drawn against during said year to supply the deficiency to the amount of $24,927.28, as appears in the statement herewith; subsequently, however, during the year 1876, there were purchased, under the agreement of 1873, for the benefit of said Indians, and paid for from other funds applicable for the purpose, 3,000 sheep and 200 ponies, the cost of which was $24,210; thus replacing in part the sum expended from their interest-fund. This stock was tendered by Ouray, chief of the seven bands, to the Utes roaming in New Mexico as a portion of the amount due under the provisions of said agreement, but the said Indians refused to accept it, or any portion of the pay guaranteed them by said treaty, on the ground that the south line of said cession was not located as agreed upon by Mr. Brunot. This objection has since been overcome by actual survey, and so far as this office is aware, the Ute Indians formerly roaming in New Mexico, having been located upon the southern portion of the reservation, at what is now known as the Southern Ute agency, no further obstructions exist to the carrying out of the provisions of said treaty. The stock above referred to was issued to the Indians at the Los Pinos agency, Colorado, after its refusal by those now at the Southern Ute.

The lands ceded by the Utes were opened to settlement upon the ratification of the said agreement, and settlers have availed themselves of the benefits of the pre-emption and homestead laws. The following-named towns are within this cession, viz: Animas City, Animas Forks, Howardville, Eureka, Lake City, Mineral Point, Ouray, Silvester, and Tellurium.

The letter and resolution above referred to are herewith returned.

Very respectfully, your obedient servant,

C. W. HOLCOMB,
Acting Commissioner.

To the honorable the SECRETARY OF THE INTERIOR.

Interest due Tabequache, Muache, Capote, Weeminuche, Yampa, Grand River, and Uintah bands of Utes.

1874. Sept. 1	To appropriation-warrant No. 632, dated August 27, 1874, for interest for one year from April 29, 1874, on $500,000, at 5 per cent., per act of April 29, 1874	$25,000 00
1875. August 18	To appropriation-warrant No. 661, dated July 30, 1875, for interest from April 29, 1875, to July 1, 1875, on $500,000, at 5 per cent. per annum	4,315 07
1876. Jan. 29	To appropriation-warrant No. 673, dated January 19, 1876, for 6 months' interest, due January 1, 1876, on $500,000, at 5 per cent	12,500 00
July 1	To appropriation-warrant No. 695, dated July 31, 1876, for 6 months' interest, due July 1, 1876, on $500,000, at 5 per cent	12,500 00
1877. Feb. 6	To appropriation, per warrant No. 708, dated January 27, 1877, for 6 months' interest, due January 1, 1877, on $500,000, at 5 per cent	12,500 00
July 2	To appropriation, per warrant No. 736, dated July 2, 1877, for 6 months' interest, due July 1, 1877, on $500,000, at 5 per cent	12,500 00
	Total	79,315 07
	To balance	54,387 79

1874. Sept. 15	By John Dobson, blankets	$7,784 76
25	By Riggs & Co., assignees, account C. Nachtrieb, flour	387 60
Oct. 2	By John Dobson, blankets	323 00
8	By J. S. Pillsbury, saws, &c	192 00
20	By Riggs & Co., assignees, account Otto Mears, supplies	5,493 90
	By McKesson & Robbins, medicines	492 87
29	By Assistant Cashier National Metropolitan Bank, account J. France, flour	212 50
1875. Feb. 3	By Henry F. Bond, Indian agent Los Pinos agency, 1st and 2d quarters 1875	5,000 00
11	By George H. B. White, assignee, account Mears & Prior, grain, &c	4,227 07
May 11	By Kansas Pacific Railroad, transportation	376 89
Aug. 28	By G. H. B. White, assignee, account Mears & Gotthelf, supplies	436 69
	By balance	54,387 79
	Total	79,315 07

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, January 21, 1878.

SIR: I have the honor to acknowledge the receipt, by your reference of 10th instant, of a resolution of inquiry adopted on the 10th ultimo by the Senate of the United States, relating to the occupancy by settlement of lands ceded to the United States by confederate bands of the Ute Nation of Indians.

You request information "whether the lands ceded to the United States by said Indians have at any time since the making of said agreement been occupied by citizens of the United Stetes, and whether the same are now occupied or not."

Reference to the files and records of this office shows that application was made, April 26, 1875, by one hundred and eighty citizens of La Plata County, Colorado, asking for a survey defining the boundary-lines of the lands ceded by the Utes.

September 20, 1876, T. M. Trippe, esq., made application, supported by his affidavit, for surveys to enable settlers on the ceded lands to acquire titles to the same.

A second application, dated December 18, 1876, accompanied by affidavits of seventeen settlers of La Plata County, was made, by Mr. Trippe, for public-land surveys in the aforementioned district.

Instructions were issued by this office, under date September 25, 1876, to the surveyor-general of Colorado, to extend the lines of the public surveys over the valleys of Rio Mancos, Rio Florida, and Rio Animas, in the Ute Indian cession.

In addition to the extension of exterior lines of the public surveys,

ten townships have been subdivided, of which seven lie on the southern border of the ceded tract or in the vicinity thereof.

Returns received from the local offices up to December 1, 1877, show that there are in the surveyed portion of the ceded tract eighty-nine subsisting pre-emption declaratory statements and five pre-emption cash-entries, one town-site entry, two coal declaratory statements, and seven homestead-entries; in all, one hundred and four filings and entries. Of this total number seventy-six fall upon lands in the south part of the ceded tract, and about one-third of this number are located upon lands in the valleys of the Rio Florida and Animas, in townships bordering upon the southern boundary.

It is possible that there are also settlers upon unsurveyed lands of the ceded tract, but on this point the office has at present no official information.

Copy of the Senate resolution, together with the note of the assistant secretary of the President, transmitting the same, is herewith returned.

I have the honor to subscribe myself, very respectfully,

J. A. WILLIAMSON,
Commissioner.

Hon. CARL SCHURZ,
Secretary of the Interior.

O

LETTER

FROM

THE CHIEF OF ORDNANCE

IN RELATION TO

The militia force of the United States.

FEBRUARY 6, 1878.—Ordered to lie on the table and be printed.

ORDNANCE OFFICE, WAR DEPARTMENT,
Washington, February 5, 1878.

DEAR SIR: I have the authority of the Secretary of War to transmit to you copy of my report on your resolution of the 13th December, 1877, in regard to the militia, and in advance of his response to the same.

Very respectfully, your obedient servant,

S. V. BENÉT,
Brigadier-General, Chief of Ordnance.

Hon. H. G. DAVIS,
United States Senate.

ORDNANCE OFFICE, WAR DEPARTMENT,
Washington, January 10, 1878.

SIR: In answer to Senate resolution of December 13, 1877, I have the honor to report as follows:

The several points of inquiry embraced in the resolution may be expressed in the following interrogatories, viz:

1. What are the condition and number of the militia enrolled in the several States?
2. What recommendation has the Secretary of War to submit looking to a more thorough organization of the militia?
3. What recommendation looking to a more thorough collection of information and reports concerning the same?
4. What amount is annually apportioned to each of the States under section 1661, Revised Statutes?
5. Whether any State has received or been credited with more or less than its proportion of the sum annually appropriated, and what amount, if any, is now due any of the States?
6. If at any time any of the States have been excluded from the benefits of section 1661, what States, and for how long?
7. What kind of arms, and what articles are or can be furnished to the militia under the terms "arms and equipments"?
8. Should the amount annually appropriated be increased?

1. What are the condition and number of the militia enrolled in the several States?

This office is not possessed of the information requested in the first i terrogatory. By section 1, act March 2, 1803 (sec. 1636, Rev. Stat. l S.), the adjutants-general of the several States were required to furnis the President of the United States, annually, returns of the militia their respective States, and of their arms, accouterments, and ammu tion; and the Secretary of War was required to lay abstracts of the returns before Congress each year. Previous to 1862 these abstrac were submitted with the annual reports of the Adjutant-General of t Army, and were printed in the public documents; but since that ye no abstracts of this character appear to have been published by Co gress.

2. What recommendation has the Secretary of War to submit looking to a m thorough organization of the militia?

The subject of a more thorough organization of the militia of t country has engaged the attention of Congress at irregular interv ever since the organization of the federal government in 1789. T Executive Documents and Reports of Committees of the two houses co tain many reports upon the subject, and the Presidents' messages ha often, in times past, invited attention to the subject.

The laws for the organization of the whole body of the militia, now i corporated in the Revised Statutes, were drawn from legislation had the early years of the government, when the remembrance of the oppr sions of the standing army of the mother country during the coloni period was fresh in the minds of the people, and when the prevailii sentiment was averse to a standing army forming a distinct class in t community. An energetic national militia has ever been consider as forming the capital security of a free people. (See the report of Ge eral Henry Knox, Secretary of War in 1790, in American State Pape Military Affairs, vol. 1, p. 7; Art. II, Amendments to the Constitutio the spirit of the laws; and the utterances of statesmen from the found tion of the government to the present time.)

The present laws, in many of their essential particulars, date from t period between 1792 and 1808, and have, in their application, speci reference, in many respects, to the condition of things then existin and consequently many have by time been rendered obsolete and ino erative. They, however, carry out, in their general scope and inten ment, the initial idea that the Constitutional force for the nation defense is the militia; and authority is given to the President to ca forth such numbers, in time of invasion or rebellion, as the emergenc may demand. Changes in these statutes as fix the details of organiz tion, accountability, and armament are necessary, and the modificatio of the militia laws which have occurred to me to be advisable to recom mend are incorporated in the accompanying revision of sections 1626 1661 of the Revised Statutes.

3. What recommendation looking to a more thorough collection of information a reports concerning the same?

As early as 1794 a difficulty of primary importance in the executio of the militia act of 1792 was found in the requirement that the militi were to arm and equip themselves. At that period it was conceded i Congress that there was an insuperable difficulty in obtaining arm there being but a limited supply in the country, with no manufactories and no ability to obtain supplies from abroad. The only solid resource t obtain a supply was conceived to be the establishment of manufactories i each State. (See American State Papers, Military Affairs, vol. 1, pp. 69 70.) In 1794, Congress directed the establishment of three or four arsenals

with a national armory attached to each, and laid an embargo on the exportation of all arms and warlike stores. The armory at Springfield, Mass., and that at Harper's Ferry, Va., were thereupon erected and placed in operation in the repair and manufacture of arms.

The militia were called upon by the President on several occasions between 1794 and 1808 for actual service; and Congress, by several acts during that period, authorized the purchase of arms, &c., for *sale* to the States, and to the individual militiamen called into service; and in some cases *loans* were authorized while in actual service, receipts being required in such cases as security for the faithful return to the government of the weapons to be used in its defense.

The inefficiency of the militia as a national institution was, during the period, directly traceable to the provision (Secs. 1628 and 1632, Revised Statutes) requiring the militiamen to provide at his own expense the arms and equipments which he might be called upon to use in the service of the general government. In 1807, a resolution was introduced in the House of Representatives expressing the sense that "provision ought to be made by law for arming and equipping the whole body of the militia of the United States," which, after protracted debate, was finally adopted. (See Annals of Congress, Tenth Cong., 1st sess., vol. 1, pp. 1005, 1039, *et seq.*) A bill was accordingly presented for arming and equipping the whole body of the militia by appropriating $200,000 annually. The sum at first proposed—in view of the then meager supply of arms and equipments obtainable in the country and abroad (the wars in Europe having exhausted the foreign markets)—was $1,000,000; but this amount, as well as the successive sums of $500,000, $450,000, $400,000, and $300,000, was negatived, and the sum of $200,000 fixed upon (*Ibid.*, vol. 2, pp. 2191–2195), and has remained without alteration to this day. In 1816, by act of April 29, this amount was exempted from liability to be carried to the surplus-fund.

After arms and equipments procured under the appropriation were received into the hands of the general government, they were placed in store in the various arsenals and armories, and were thence distributed to the States and Territories annually, in proportion to the number of the effective militia in their respective territorial limits. At first, only muskets (or rifles) and accouterments for the armament of the individual militiamen were procured or issued, but subsequently it was concluded to procure and issue light artillery, as might be required, in lieu of muskets, charging for the same in terms of "muskets," the apportionment and the accounts under the same being made and kept in those times in muskets.

A question was raised, in the debate on the original passage of the act of 1808, in regard to the *ownership* of the arms, &c., after they had passed out of the possession of the general government into the hands of the militia. This question was not settled by the terms of the act as it finally passed, and no action appears ever to have been taken by the War Department authorities to fix upon the State authorities or the militiamen any system of periodical accountability for the arms, &c., issued to them. The procurement of the arms and equipments, the conveyance of them to the respective States, as called for, and the taking the receipts of the State authorities for the same, appear to have been all the duties recognized by the United States authorities as imposed on them by the law. In 1874, upon a question raised in this office, the Attorney-General decided that "the statute makes no provision for any accountability whatever to the general government respecting the disposition of the arms when they have once been delivered to the States,

Congress having seen fit to leave it entirely to the good faith of the la ter, after the delivery takes place, to carry out the purpose contemplat in furnishing the arms." (Copy of opinion inclosed.)

OPINION.

DEPARTMENT OF JUSTICE,
Washington, November 11, 1874

SIR: I have considered the question referred to me from your department on t 15th of September last, viz, "Whether, under existing laws, the right of property the arms issued for arming the militia of the United States, is vested in the State thorities, with power to dispose of them by sale or otherwise, without accounting the United States?"

This question, it would seem, from the papers submitted, has been suggested by fa of recent occurrence, which are especially connected with the quota of arms due, und the statutes relating to the arming of the militia, to the State of Virginia. It appe that the governor of that State made requisitions upon the Chief of Ordnance for abu 2,307 revolvers, to be drawn as a portion of the said quota. To meet these requisitio the latter officer, in July last, gave to an agent of the State, orders upon the manuf turer for that number of revolvers, to be delivered within a short period thereaft Upon receiving these orders, the agent, acting under the directions of the govern proceeded to New York, and, in behalf of the State, entered into contracts with cert parties for camp equipage. It was agreed that the contractors should receive, in p ment for the camp equipage furnished the State, under their contracts, an assignme of the aforesaid orders, and that the delivery of the arms, by the manufacturer, sho accordingly be made directly to them. But I understand that the Chief of Ordnan having information of this transaction, and conceiving that the right of the State make such disposition of the arms, intended for the militia thereof, was not entir free from doubt, directed the delivery of revolvers on said orders to be withheld un that point is determined; and the determination of that point has been thought to pend on the solution of the question referred to me.

The laws in force, which provide for the furnishing of arms to the militia, by t general government, are contained in the following sections of the Revised Statute

"SEC. 1661. The annual sum of two hundred thousand dollars is appropriated, to paid out of any money in the Treasury not otherwise appropriated, for the purpose providing arms and equipments for the whole body of the militia, either by purcha or manufacture, by and on account of the United States.

"SEC. 1667. All the arms procured, in virtue of any appropriation authorized by la for the purpose of providing arms and equipments for the whole body of the militia the United States, shall be annually distributed to the several States of the Unio according to the number of their Representatives and Senators in Congress, respec ively; and all arms for the Territories and for the District of Columbia shall be a nually distributed in such quantities, and under such regulations, as the Preside may prescribe. All such arms are to be transmitted to the several States and Territ ries by the United States.

"SEC. 1670. The Secretary of War is authorized and directed to distribute to suc States as did not receive the same, their proper quota of arms and military equipmen for each year, from eighteen hundred and sixty-two to eighteen hundred and sixty nine, under the provisions of section sixteen hundred and sixty-one: *Provided*, Th in the organization and equipment of military companies and organizations with suc arms, no discrimination shall be made between companies and organizations on accou of race, color, or former condition of servitude."

The provisions of the above-named sections have been taken from the act of Apr 23, 1808, ch. 55; the act of March 3, 1855, ch. 169; and the act of March 3, 1873, ch. 2

By the first of those sections (sec. 1661), an annual appropriation is made "for th purpose of providing arms and equipments for the whole body of the militia." Th next section (sec. 1667) provides for an annual distribution, among the several State and Territories, of the arms procured by means of such appropriation. It require these arms to be transmitted by the United States to the several States and Territo ries—the quota for each State to be according to the number of its Representatives and Senators, and the quota for each Territory, including the District of Columbia, t be according as the President may prescribe. The remaining section (sec. 1670) i only applicable to the particular case where a State did not receive its proper quota o arms and military equipments for any period from 1862 to 1869. It authorizes th Secretary of War, in that case, to distribute to such State its quota, for that period subject to the proviso therein contained.

In none of the sections adverted to is there any provision which expressly vests th property in the arms, after their distribution, in the States absolutely; nor do I find anything therein from which 'such a change of ownership results by necessary impli- cation. To get at the intent and meaning of the existing laws, with reference to that

point, it seems therefore proper to recur to the earlier legislation on the subject of arming the militia, and particularly to that part of it from which the provisions in the Revised Statutes have been taken.

The power of Congress to legislate on that subject is expressly conferred by the Constitution (see Art. I, sec. 8, par. 16); and the first instance of the exercise of this power, by that body, is found in the act of May 8, 1792, entitled "An act more effectually to provide for the national defense, by establishing an uniform militia throughout the United States." (1 Stat., 271.) There it consisted simply in requiring each enrolled militiaman to "provide himself" with arms of a certain description. (See first section of that act.) This requirement is, however, reproduced in the Revised Statutes (see section 1628), and it constitutes now, as it did originally, what may be regarded the general law upon the subject of arming the militia—the other provisions of the Revised Statutes upon the same subject, to which reference has been made, being auxiliary, and not substitutive in their character.

Next followed the act of July 6, 1798, entitled "An act providing arms for the militia throughout the United States." (1 Stat., 576.) By this act thirty thousand stand of arms were authorized to be provided, at the expense of the Government of the United States, and "sold to the governments of the respective States, or the militia thereof," under such regulations and at such prices as the President might prescribe. But its object was only to meet an immediate want then felt by some of the States (especially the Southern), the people whereof were generally destitute of arms, and could not easily supply themselves therewith. It sought to facilitate the procurement of arms by the latter, to a limited extent, by enabling them or their respective States to purchase the same from the United States. The act of April 2, 1808, authorizing the sale of public arms to the States (2 Stat., 481), though it does not purport to have been passed with a view to arming the militia, is of a piece with the act of 1798, and contemplated similar objects.

The act of April 23, 1808, entitled "An act making provision for arming and equipping the whole body of the militia of the United States" (2 Stat., 490), is the first statute that contains provisions of a general and permanent nature for furnishing arms and equipments to the militia by the United States; and it deserves to be well considered here, for the reason that some of the more important of its provisions, directed to that end, are embodied in one or two of the sections of the Revised Statutes above quoted. The first section of the act is in substance the same as section 1661 of the Revised Statutes. It appropriates the sum of two hundred thousand dollars annually "for the purpose of providing arms and military equipments for the whole body of the militia of the United States, either by purchase or manufacture, by and on account of the United States." The third section declares that the arms procured in virtue of the act "shall be transmitted to the several States composing this Union, and Territories thereof, to each State and Territory respectively, in proportion to the number of the effective militia in each State and Territory, and by each State and Territory to be distributed to the militia in such State and Territory, under such rules and regulations as shall be by law prescribed by the legislature of each State and Territory." The rest of the act is not material in this connection.

The object of the annual appropriation made by this act is plainly expressed therein; it was to provide arms and equipments for the entire militia of the United States so far as such appropriation would enable this to be done. That object was contemplated to be carried out, partly through the agency of officers of the general government and partly through the intervention of the State authorities. Thus the procuring of the arms, with the means provided therefor, was, in the first place, to be done by officers of the United States, who were then to transmit the same to each State and Territory in proportion to the number of the effective militia thereof; whereupon the State and Territorial authorities were to distribute the arms so transmitted to them among the militia, in their respective States and Territories, under such rules and regulations as should be prescribed by the local laws. Accordingly, the States and Territories, with which arms were deposited under this act, must be deemed to have held them for a specific purpose only, and consequently (regarding the subject from a strictly legal point of view) to have had no right to divert them from that purpose by alienation or otherwise. They stood, as it were, in the situation of trustees, charged with the distribution of the arms, and had no other property therein than such as was necessary to enable them to perform that trust.

That the States and Territories, in contemplation of this statute, were to be vested with a qualified, not an absolute, ownership of the arms transmitted to them, is very manifest from its terms, which exclude the idea that a power to dispose of the arms, in any manner and for any purpose, such as would be incident to absolute ownership alone, was intended, by which the very object of the law, viz, the arming of the militia, might be frustrated altogether. A similar view was taken by the Senate in 1855, by which it was then thought necessary, in order to enable the States and Territories to sell the arms theretofore distributed under the act of 1808, to make provision therefor by statute, as impliedly appears from the action of that body in passing, by way of

amendment to the Army appropriation bill then pending before it, a section which provided "that the governors of the several States and Territories be, and they are hereby, authorized to sell, to the best advantage, the arms heretofore distributed under the act of April 23, 1808, and invest the funds arising out of such sales in other arms more suitable for the purposes contemplated by said act: *Provided*, That no arms be so purchased or provided, except such as may be of the same description and caliber as those regularly adopted and in use in the Army of the United States." This amendment was not concurred in by the House, on the recommendation of the Committee of Ways and Means, and so it did not become a law. Yet while the negative action of the House cannot with certainty be attributed to a difference of view as to the power of the States and Territories over such arms under the then existing laws (for it may have proceeded from a doubt as to the expediency of the proposed measure), the affirmative action of the Senate can assuredly be taken as an indication of its sense with respect to such power, and that was clearly this, that the power, whatever it might be, did not include the right to alienate the arms without the consent of Congress.

But to look at the subject from another stand-point: I have already adverted to the fact that the power of Congress to provide for the arming of the militia is expressly conferred by the Constitution. It is not maintained that this power is exclusively vested in Congress. It is merely an affirmative power, and if not in its own nature incompatible with the existence of a like power in the States, it may well leave a concurrent power in the latter; so that if Congress did not choose to make any provision for arming the militia, it would be competent to the States to do it in such manner as they might think proper. But when once Congress has carried this power into effect, its laws for the arming of the militia are the supreme law of the land, and all interfering State regulations must necessarily be suspended in their operation (Houston *v.* Moore, 5 Wheat., 51). Now, it appears that, in the exercise of this power, and with a view to provide for the national defense, Congress had undertaken to furnish arms for the militia at the expense of the general government. The kind and pattern of arms to be thus furnished were left to the determination of the officers of the general government, and hence such arms as were procured and transmitted by these officers to the States and Territories, for the militia thereof, must be regarded as arms specifically provided therefor by the paramount law. This being the case, is it not obvious that the State and Territorial authorities could not rightfully exchange those arms for others of a different kind or pattern, and distribute the latter to the militia in place of the former, or sell the arms so provided and invest the proceeds of the sale in other property which such authorities might conceive to be more needful to promote the efficiency of the militia? In either of these cases the action of the State and Territorial authorities would manifestly be in direct collision with the supreme law of the land.

Still it is to be observed that the statute under consideration made no provision for any accountability to the United States, in regard to the disposition of the arms, after their delivery to the State and Territorial authorities. When that took place the control of the officers of the general government over the arms ceased; and whether the future destination or use of the property was consistent with the design of the statute depended wholly upon the good faith of the States and Territories themselves. Practically, then, they might do what they pleased with it, though the disposition made of it by them should defeat the ends of the statute; for no way existed, as I conceive, to compel the execution of the trust devolved upon them.

By the seventh section of the act of March 3, 1855 (10 Stat., 639,) the annual distribution of arms to the States, which, under the act of 1808, was made in proportion to the number of the effective militia thereof, was required to be made according to the number of their Representatives and Senators in Congress, respectively; and, in regard to the Territories and the District of Columbia, the arms were, by the same section, required to be distributed in such quantities and under such regulations as the President, in his discretion, might prescribe. These provisions are substantially embodied in section 1667 of the Revised Statutes. They modify the previous law no farther than to introduce a new basis for making distribution of the arms to the States and Territories, which thenceforth took the place of the one originally prescribed.

Thus the law remained, touching the transmission of arms to the several States and Territories for the militia, up to the time of the adoption of the Revised Statutes; and I discover nothing in the provisions of the latter indicative of an intention on the part of Congress to clothe the States with any right of property in the arms thereafter to be transmitted to them other or different from that which they had in the arms theretofore deposited with them. The purpose of the annual appropriation thereby provided is the same precisely as was that of the similar appropriation provided by the statute formerly in force, viz, to furnish arms for the militia. The basis upon which the arms are to be distributed to the States is likewise the same as that previously established (*i. e.*, by the act of 1855 cited above), and they are required to be transmitted to the several States by the United States. It is true that, in the Re-

vised Statutes, there is no clause expressly directing the arms to be distributed by each State to the militia thereof, as there was in the former statute; but the omission to insert any such clause therein is not to be understood as signifying an intent to relieve the States from that charge. The inference necessarily follows, from the declared purpose for which the appropriation for procuring the arms is made, that they are to be transmitted to the States for distribution among the militia, and for that object solely; and an express direction to that effect not being therefore really needed, it is probable that, for this reason, none was inserted.

Viewing the provisions of the Revised Statutes, above quoted, in connection with the previous legislation, I am unavoidably brought to the conclusion that, in contemplation of those provisions, the arms transmitted to the States thereunder are to be held by them for a specific purpose only, which is pointed out therein; that they therefore become, strictly speaking, invested with nothing more than a qualified property in such arms; and that they cannot, as a matter of right, and without thereby interfering with the regulations of Congress on a subject over which its authority is necessarily paramount, make any disposition or use of such arms which defeats the purpose referred to, though, if this should be done, there would seem to be no remedy without further legislation by Congress.

In answer, then, to the question propounded, I have the honor to state that, in my opinion, the States do not, by the existing laws, have "the right of property in the arms issued for arming the militia," if an absolute right of property is there meant, and that they derive no authority, under those laws, to sell or dispose of such arms at their pleasure. As I have already observed, the statute makes no provision for any accountability whatever to the general government respecting the disposition of the arms when they have once been delivered to the State; Congress having seen fit to leave it entirely to the good faith of the latter, after the delivery takes place, to carry out the purpose contemplated in furnishing the arms.

In regard to the actual case here presented, which concerns a part of the quota of arms due the State of Virginia, I may add that the disposition of the revolvers, hereinbefore mentioned, recently sought to be made by the authorities of that State, would clearly have been unwarranted by the existing laws of Congress on the subject of arming the militia. It was accordingly very proper for the Chief of Ordnance to withhold the delivery of the revolvers to the parties to whom the orders issued therefor had been assigned. He could not, under those laws, recognize any right in such parties, to the revolvers. But the arms cannot be indefinitely withheld from the State, the statute requiring them not only to be annually distributed, but to be transmitted to it by the general government. After this is accomplished, the officers of the latter have nothing further to do with the arms so transmitted.

I am, sir, very respectfully, your obedient servant,

GEO. H. WILLIAMS,
Attorney-General.

Hon. W. W. BELKNAP.
Secretary of War.

4. What amount is annually apportioned to each of the States under section 1661, Revised Statutes?

The amount annually apportioned to each of the States and Territories under section 1667 Revised Statute (not 1661, as stated in the Senate resolution) will be indicated for the fiscal year 1877 by the following table:

Apportionment of arms for the fiscal year ending June 30, 1877, under the law of 1808 for arming and equipping the militia, as amended by the seventh section of the act approved March 3, 1855, and regulations established in conformity therewith.

States and Territories.	Number of Senators and Representatives.	Money value.
Alabama	10	[illegible]
Arkansas	6	[illegible]
California	6	[illegible]
Colorado	3	[illegible]
Connecticut	6	[illegible]
Delaware	3	[illegible]
Florida	4	[illegible]
Georgia	11	[illegible]
Illinois	21	[illegible]
Indiana	15	[illegible]
Iowa	11	[illegible]
Kansas	5	[illegible]
Kentucky	12	[illegible]
Louisiana	8	[illegible]
Maine	7	[illegible]
Maryland	8	[illegible]
Massachusetts	13	[illegible]
Michigan	11	[illegible]
Minnesota	5	[illegible]
Mississippi	8	[illegible]
Missouri	15	[illegible]
Nebraska	3	[illegible]
Nevada	3	[illegible]
New Hampshire	5	[illegible]
New Jersey	9	[illegible]
New York	35	[illegible]
North Carolina	10	[illegible]
Ohio	21	[illegible]
Oregon	3	[illegible]
Pennsylvania	29	[illegible]
Rhode Island	4	[illegible]
South Carolina	7	[illegible]
Tennessee	12	[illegible]
Texas	8	[illegible]
Vermont	5	[illegible]
Virginia	11	[illegible]
West Virginia	5	[illegible]
Wisconsin	10	[illegible]
Arizona Territory*	3	[illegible]
Dakota Territory*	3	[illegible]
Idaho Territory*	3	[illegible]
Montana Territory*	3	[illegible]
New Mexico Territory*	3	[illegible]
Utah Territory*	3	[illegible]
Washington Territory*	3	[illegible]
Wyoming Territory*	3	[illegible]
District of Columbia	3	[illegible]
Total	296	[illegible]
Freights, &c	.....	[illegible]
Total, being the appropriation for the fiscal year ending June 30, 1877	.....	[illegible]

* Apportionment according to the first paragraph of the President's regulation of April 30, 1855.

The annual appropriation of $200,000 for arming and equipping the militia is disbursed by the Ordnance Department in the purchase and manufacture of arms and equipments. The appropriation may, at any given time, be all expended, and yet each State may be consistently said to have, at the very time, a money-value to its credit. The reason is this: Previous to the year 1864 the apportionments of the benefits of the law of 1808 to the several States and Territories for the militia within their limits were expressed on the militia books of issues in this office in terms of "muskets." This method had come down from 1808, when the theory of application of the law was the *armament of the individuals* composing the militia. When artillery and other military stores came subsequently to be issued, they were rated as equivalent to so many "muskets." States were, therefore, in those times, said to have so many "muskets" to their credit; but in 1864, owing to the diversity of ordnance material that had come to be issuable to the militia, and the trouble of reducing everything to an equivalent of "muskets," the basis of "muskets" was abandoned, and the proper proportion of the benefits of the annual appropriation falling to each State and Territory was entered in *money-values* in the books of issues, and each State and Territory was thenceforward said to have so many $—— to its credit instead of "muskets." The entry of these money-values in the books of issues was to show that arms, &c., whose cost amounted to $—— on our books, could be drawn, and to prevent excessive issues by reducing all articles required and issued to a money standard. The money-values to the credit of a State at any time on these books of issues simply represented the muskets, or rifles, or artillery, or other quality of ordnance stores which that State was entitled to draw at pleasure, at stipulated prices, from the custody of the Ordnance Department. Sometimes a State would not draw any ordnance materials from the government for several years, when the *quantity of stores* to which it would then be entitled would be indicated by the sum of the annual apportionments which had in the meantime accrued to it.

The method of apportioning to the States their proper portions of the ordnance materials procurable under the annual appropriation, as indicated in the foregoing table by dividing the amount of the whole appropriation among them according to "*the number of Senators and Representatives of each in Congress*," was established by act of March 3, 1855, which also directed the distribution of arms to the Territories and District of Columbia in such quantities as the President might prescribe. These provisions are embodied in section 1667 Revised Statutes.

5. Whether any State has received or been credited with more or less than its proportion of the sum annually appropriated, and what amount, if any, is now due to any of the States?

During the period of the late war, as well as during the period subsequent thereto, when the States engaged in the rebellion were not represented in Congress, the apportionments or quotas falling due to those States were regularly entered up to their credit on the books of this office; and as these States drew no stores during the war, and very few subsequent thereto, the quantities to which they were entitled in 1870* were the accumulated values of several years. The following state-

* Except South Carolina, to whom $124,000 worth were issued in 1869, by authority of the Secretary of War, far exceeding the accrued quotas due at that time.

ment shows the money-values of stores which had accrued to them during the period of their non-representation in Congress, viz:

States.	Periods of non-representation.	Money-value of stores apportioned during the periods of non-representation.
Alabama	Years 1862-'63-'64-'65-'66-'67	$27,987 [illegible]
Arkansas	do	15,[illegible]
Florida	do	10,049 [illegible]
Georgia	do	31,[illegible]
Louisiana	do	22,[illegible]
Mississippi	Years 1862-'63-'64-'65-'66-'67-'68-'69	31,118 [illegible]
North Carolina	Years 1862-'63-'64-'65-'66-'67	31,[illegible]
South Carolina	do	22,337 [illegible]
Tennessee	Years 1864-'65	11,094 [illegible]
Texas	Years 1862-'63-'64-'65-'66-'67-'68-'69	94,[illegible]
Virginia	do	48,[illegible]
Total		375,725 [illegible]

As it was questionable whether these States should be permitted to draw the arms, &c., which had accrued to them during the period of their non representation in Congress, the act of March 3, 1873 (17 Stat. at Large, 608), specifically directed the distribution "to such States as did not, from the year 1862 to the year 1869, receive the same, their proper quota of arms and military equipments for each year from 1862 to 1869," and the States thereafter drew at pleasure for the arms and equipments which the above money-values represented. By March 3, 1875, most of them had drawn all or the greater portion of the arms above referred to, together with those which had accrued to them by intervening annual apportionments. But on the last-named date the act making appropriations for the support of the Army for the year 1876 directed, by a proviso to its third section, that—

> So much of the *appropriations* between January 1, 1861, and April 9, 1865, under the act of April 23, 1808, herein referred to, as would have been used for the purchase of arms to be distributed to the several States that were in rebellion, shall be covered into the Treasury of the United States.

The effect of the last quoted law has been to deprive some of the States of the benefits of the act of 1873 (for instance, Alabama, $21,196.61; Florida, $7,314.99; North Carolina, $11,266.01; Tennessee, $11,094; South Carolina, $18,049.53), and I recommend that it be repealed.

No greater or less amount than the regular share of the annual appropriation of $200,000 is credited to any of the States or Territories on the books of issues in this office. In emergencies there have been issues of stores made (by special authority of the President or Secretary of War) in excess of the quantities due the States, and such issues have always been charged on their militia arms-accounts against the States receiving the same.

During the late war extraordinary quantities of ordnance and ordnance stores were issued to the authorities of many of the loyal States for internal armament and defense, and the money-values of these stores were in all cases charged up on their arms-accounts in the books of issues in this office. Many States were thereby charged with stores far in excess of what could be liquidated in any reasonable length of

time by the apportionments annually falling due; and in March, 1875, the act for the support of the Army contained the following provision:

SEC. 3. That all issues of arms and other ordnance stores which were made by the War Department to the States and Territories between the first day of January, eighteen hundred and sixty-one, and the ninth day of April, eighteen hundred and sixty-five, under the act of April twenty-third, eighteen hundred and eight, and charged to the States and Territories, having been made for the maintenance and preservation of the Union, and properly chargeable to the United States, the Secretary of War is hereby authorized, upon a proper showing by such States of the faithful disposition of said arms and ordnance stores, in the service of the United States in the suppression of the war of the rebellion, to credit the several States and Territories with the sum charged to them respectively for arms and other ordnance stores which were issued to them between the aforementioned dates, and charged against their quotas under the law for arming and equipping the militia: *Provided*, That it shall be the duty of the Secretary of War, before making a credit to any of said States and Territories, to investigate and ascertain, so nearly as he can, the disposition made by each of said States and Territories of said arms and ordnance stores; and if he shall find that any of said arms or ordnance stores have been sold or otherwise misapplied, to refuse a credit to such State or Territory for so much of said arms and ordnance stores as have been sold or misapplied; and the amount thereof shall remain a charge against said State or Territory, the same as if this act had not been passed.

The following table shows the money-values of all stores issued to the several loyal States and Territories between the above-given dates, the credits which have been given under the terms of the law, and the money-values of stores issued between those dates which the States have not yet shown to have been used in the service of the United States, and for which credit has not been given in this office:

States.	Value of stores issued between January 1, 1861, and April 9, 1865.	Credit given under act of March 3, 1875.	Balances September 1, 1877.
California	$221,041 10	$182,281 51	$38,759 59
Connecticut	3,438 00	3,438 00	.....
Delaware	20,431 00	17,000 00	3,431 00
Illinois	98,674 40	.....	98,674 40
Iowa	923 00	923 00	.....
Indiana	16,910 13	.....	16,910 13
Kansas	44,231 00	44,231 00	.....
Kentucky	1,139 00	.....	1,139 00
Maine	13,959 25	13,959 25	.....
Maryland	1,188 00	1,188 00	.....
Massachusetts	25,210 00	25,210 00	.....
Michigan	7,294 00	7,294 00	.....
Minnesota	7,595 74	4,286 88	3,308 86
Missouri	5,330 00	.....	5,330 00
New Hampshire	32,964 00	1,660 00	31,304 00
New York	107,246 00	106,292 00	954 00
North Carolina	5,896 00	.....	5,896 00
Ohio	281,870 70	149,800 05	132,070 65
Oregon	14,416 57	.....	14,416 57
Pennsylvania	1,327 00	1,327 00	.....
Rhode Island	25,638 76	.....	25,638 76
Tennessee	8,803 00	.....	8,803 00
Vermont	638,358 37	28,537 22	609,821 15
Wisconsin	8,486 73	*8,486 73	.....
Arizona Territory	1,982 50	.....	1,982 50
Dakota Territory	10,022 34	.....	10,022 34
Nebraska Territory	8,487 00	.....	8,487 00
New Mexico Territory	45,251 00	.....	45,251 00
District of Columbia	1,976 00	.....	1,976 00
Total	1,660,090 59	595,914 64	1,064,175 95

* Full credit given this State January 2, 1878.

It has been represented to this office that in some cases States have sold some of these arms, &c., and placed the proceeds into the State treasury. As these sales took place after the war, and when the arms,

&c., were comparatively worthless, the difference in value between what was received from the sales by the States and what was originally charged against them on our books was very great. It seems to me that justice demands that this difference be credited to the States on our books. With this view I submit the following as a draught of a bill that would cover the case:

That section 3 of the "act making appropriations for the support of the Army for the fiscal year ending June 30, 1876, and for other purposes," approved March 3, 1875, is so far modified as to direct the Secretary of War to make credit to any State that has sold arms or ordnance stores, of the difference of the amount charged for said arms or ordnance stores on the books of the Ordnance Office, and the amount received by the State from sales of said arms or ordnance stores.

The following statement shows the money-values of the ordnance stores due the States and Territories, or overdrawn by them, as exhibited by the accounts of these several States and Territories on the book of issues in this office, on the date hereof, viz:

Number.	States and Territories.	Money-value of stores held subject to requisition of the States on January 10, 1876.	Money-value of stores overdrawn by States in excess of accrued apportionments on January 10, 1876.
1	Alabama	$5,202 77	
2	Arkansas	9,098 78	
3	California		[illegible]
4	Connecticut	135 63	
5	Delaware	16,337 14	
6	Florida	962 18	
7	Georgia	10 22	
8	Illinois		11,[illegible]
9	Indiana	5,994 10	
10	Iowa	1,004 07	
11	Kansas	7,488 35	
12	Kentucky	31,226 16	
13	Louisiana	5 47	
14	Maine	7,111 59	
15	Maryland	27 73	
16	Massachusetts	222 63	
17	Michigan	26,000 98	
18	Minnesota	10,181 01	
19	Mississippi	5,417 04	
20	Missouri	11,796 61	
21	Nebraska	1,448 84	
22	Nevada	13 89	
23	New Hampshire		[illegible]
24	New Jersey	4,357 56	
25	New York	39,378 08	
26	North Carolina	1 29	
27	Ohio		[illegible]
28	Oregon		[illegible]
29	Pennsylvania		[illegible]
30	Rhode Island		[illegible]
31	South Carolina		[illegible]
32	Tennessee	2,057 00	
33	Texas		[illegible]
34	Vermont		[illegible]
35	Virginia	627 03	
36	West Virginia	4,771 32	
37	Wisconsin	16,749 00	
38	Colorado		[illegible]
	Apportionment in conformity with paragraph 1 of President's regulation of April 30, 1855:		
	Arizona Territory		[illegible]
	Dakota Territory		[illegible]
	Idaho Territory	1,440 29	
	New Mexico Territory		[illegible]
	Montana Territory		[illegible]
	Utah Territory	61,734 59	
	Washington Territory	3,840 30	
	Wyoming Territory	2,695 87	
	District of Columbia	3,758 45	

6. If at any time any of the States have been excluded from the benefits of section 1661, what States, and for how long?

The length of time during which any of the States have been excluded from the benefits of section 1661 Revised Statutes U. S. has been stated in my answer to the fifth interrogatory.

7. What kind of arms and what articles are or can be furnished to the militia under the terms "arms and equipments"?

As has been before stated, the first issues made to the States and Territories under the act of 1808 consisted of muskets (or rifles) and accouterments, being the armament of the individual soldier. Subsequently light artillery and carriages were issued in lieu of small arms, if so desired; and ammunition of all kinds has been issued to the States without reserve since the late war. At the present time, any article that is issuable to the Regular Army, and which may be in the custody of the Ordnance Department, or procurable by it, may be drawn by the State authorities.

8. Should the amount annually appropriated be increased?

The annual appropriation of $200,000 for arming and equipping the militia, fixed by the act of April 23, 1808, is entirely inadequate at the present time, with a population increased from eight to more than forty millions. As a consequence, some of the richer States of the Union have had to make appropriations of money to provide the arms, &c., necessary to supply such deficiency, although the intention of Congress, as expressed in the law of 1808, was that the money so appropriated should supply the "whole body of militia." If $200,000 was not deemed too much in 1808, when arms, &c., were cheap, as compared with the improved and costly mechanism now admitted to be a necessity, an increase of the appropriation to $1,000,000 annually will be required to fully meet the wants of the "whole body of the militia," and carry out the expressed wishes of Congress.

In further answer to the eighth interrogatory, I beg to invite attention to my remarks upon the subject in my Annual Report of October 5, 1877, page 7.

The Senate resolution is herewith returned.

Very respectfully, your obedient servant,

S. V. BENÉT,
Brigadier General, Chief of Ordnance.

THE MILITIA.

SEC. 1625. Every able-bodied male citizen of the respective States, resident therein, who is of the age of eighteen years, and under the age of forty-five years, shall be enrolled in the militia.

SEC. 1626. It shall be the duty of the governor of each State to cause to be enrolled every such citizen, and all those who may, from time to time, arrive at the age of eighteen years, or who, being of the age of eighteen years and under the age of forty-five years, come to reside within the State.

SEC. 1627. Each governor or proper officer by him appointed shall, without delay, notify every such citizen of his enrollment. And any

notice or warning to a citizen enrolled to attend a company or regimental muster, which is according to the laws of the State in which it is given for that purpose, shall be deemed a legal notice of his enrollment.

SEC. 1628. The Vice-President of the United States; the officers judicial and executive of the Government of the United States; the members of both houses of Congress, and their respective officers; all custom-house officers with their clerks; all postmasters and persons employed in the transportation of the mail; all ferry-men employed at any ferry on post-roads; all inspectors of exports; all artificers and workmen employed in the armories, arsenals, and navy-yards of the United States; all pilots; all mariners, actually employed in the sea-service of any citizen or merchant within the United States; and all persons who now are or may hereafter be exempted by the laws of the respective States, shall be exempted from militia duty, notwithstanding their being above the age of eighteen and under the age of forty-five years.

SEC. 1629. The militia of each State shall be arranged into divisions, brigades, regiments, and companies, as the legislature of the State may direct. Each division may consist of two or more brigades; each brigade may consist of two or more regiments, and the regiments of infantry, artillery, and cavalry shall have the same organization and be officered the same as the Regular Army of the United States. Each division, brigade, and regiment shall be numbered at the formation thereof; and a record of such numbers shall be made in the adjutant-general's office of the State. When in the field, or in service in the State, each division, brigade, and regiment shall respectively take rank according to its number, reckoning the first or lowest number highest in rank.

SEC. 1630. The militia shall be officered by the respective States as follows: To the militia of each State, one quartermaster-general, one chief of ordnance, and one adjutant-general, each with rank not to exceed that of brigadier-general; to each division, one major-general, one division inspector, with the rank of lieutenant-colonel, and one division quartermaster with the rank of major; to each brigade, one brigadier-general, one brigade-inspector with the rank of major, one quartermaster of brigade with the rank of captain, and the general officers to have aids in number and rank the same as in the Regular Army of the United States.

SEC. 1631. Each regiment shall be provided with the State and regimental colors, and each company with a drum and fife, or bugle-horn, in such manner as the legislature of the respective States may direct.

SEC. 1632. The duty of the adjutant-general, in each State, shall be to distribute all orders from the commander-in-chief of the State to the several corps; to attend all musters when the commander-in-chief of the State reviews the militia, or any part thereof; to obey all orders from him relative to carrying into execution and perfecting the system of military discipline established by law; to furnish blank forms of returns that may be required, and to explain the principles on which they should be made; to receive from the several officers of the different corps throughout the State returns of the militia under their command; and to make proper abstracts from such returns, and lay the same annually before the commander-in-chief of the State.

SEC. 1633. The several officers of the divisions, brigades, and regiments shall, in their returns of the corps under their command, account

o the chief of ordnance of the State, in the same manner as prescribed or the rendition of returns by the Regular Army of the United States Section 1167 of the Revised Statutes, as amended), for their arms, ccouterments, and ammunition, and shall report their delinquencies, nd every other particular relating to the general advancement of good rder and discipline.

SEC. 1634. It shall be the duty of the governor in each State to make eturn of the militia of the State to the Secretary of War of the United tates, annually, on or before the first Monday in January; and it shall e the duty of the Secretary of War, from time to time, to give such irections as may, in his opinion, be necessary to produce a uniformity n such returns. The ordnance and ordnance stores issued to the States nder the law for arming and equipping the militia are the property of he United States, and shall be accounted for by the chief of ordnance f the State to the Chief of Ordnance U. S. Army in the same manner s similar property is accounted for by the Regular Army of the United States.

All ordnance and ordnance stores which may become unserviceable or unsuitable shall be inspected by the brigade inspector, and his report shall be forwarded by the governor direct to the Chief of Ordnance United States Army for the action of the Secretary of War, who shall direct what disposition, by sale or otherwise, shall be made of them. If any are lost or damaged, except by ordinary wear and accidents of service, their value shall be made good to the United States by the person or persons responsible therefor, and the money received from sales, or on account of losses or damages, shall be accounted for to the Chief of Ordnance United States Army, and paid into the Treasury of the United States, to be placed to the credit of the appropriation for arming and equipping the militia.

SEC. 1635. The system of discipline and field exercise which is ordered to be observed in the different corps of infantry, artillery, and cavalry of the Regular Army of the United States, shall also be observed in such corps, respectively, of the militia.

SEC. 1636. All commissioned officers shall take rank according to the date of their commissions; and when two of the same grade bear an equal date their rank shall be determined by the date of previous commissions; then, that failing, by lot to be drawn by them before the commanding officer of the brigade, regiment, company, or detachment.

SEC. 1637. If any person, whether officer or soldier, belonging to the militia of any State, and called out into the service of the United States, be wounded or disabled while in actual service, he shall be taken care of and provided for at the public expense.

SEC. 1638. It shall be the duty of the brigade inspector to attend the regimental meetings of the militia composing the brigade during the time when they are under arms, to inspect their arms, ammunition, and accouterments; to superintend their exercise and maneuvers, and introduce throughout the brigade the system of military discipline prescribed by law, and such orders as they receive from the commander-in-chief of the State; and to make reports to the governor of the State, at least once in every year, of the militia of the brigade to which he belongs, reporting therein the actual condition of the arms, accouterments, and ammunition of the several corps, and every other particular which, in his judgment, may relate to their government and the general advancement of good order and military discipline, and to see that each and every person responsible for ordnance and ordnance stores or other

public property has properly accounted for it in the manner prescribe by law and regulation.

SEC. 1639. All corps of artillery, cavalry, and infantry, now existin in any State, which, by any law, custom, or usage thereof, have n been incorporated with the militia, or are not governed by the gener regulations thereof, shall be allowed to retain their accustomed privileg subject, nevertheless, to all other duties required by law in like mann as the other militia.

SEC. 1640. Whenever the United States are invaded, or are in imm nent danger of invasion from any foreign nation or Indian tribe, or rebellion against the authority of the Government of the United Stat it shall be lawful for the President to call forth such number of t militia of the State or States most convenient to the place of danger, scene of action, as he may deem necessary to repel such invasion, or suppress such rebellion, and to issue his orders for that purpose to su officers of the militia as he may think proper.

SEC. 1641. When the militia of more than one State is called into t actual service of the United States by the President, he shall apporti them among such States according to representative population.

SEC. 1642. The militia, when called into the actual service of t United States for the suppression of rebellion against and resistance the laws of the United States, shall be subject to the same rules a articles of war as the regular troops of the United States.

SEC. 1643. The militia, when called into actual service, shall be o ganized as prescribed for the Regular Army of the United States.

SEC. 1644. Whenever the President calls forth the militia of t States, to be employed in the service of the United States, he may speci in his call the period for which such service will be required, not exceed ing nine months, and the militia so called shall be mustered in and co tinue to serve during the term so specified, unless sooner discharged b command of the President.

SEC. 1645. Every officer, non-commissioned officer, or private of t militia, who fails to obey the orders of the President when he calls o the militia into the actual service of the United States, shall forfeit his pay a sum not exceeding one year's pay, and not less than o month's pay, to be determined and adjudged by a court-martial; a such officer shall be liable to be cashiered by a sentence of court martia and be incapacitated from holding a commission in the militia for a ter not exceeding twelve months; and such non-commissioned officer an private shall be liable to imprisonment, by a like sentence, on failure t pay the fines adjudged against him, for one calendar month for ever twenty-five dollars of such fine.

SEC. 1646. The militia, when called into the actual service of th United States, shall, during their time of service, be entitled to the sam pay, rations, clothing, and camp equipage as may be provided by la for the regular Army of the United States.

SEC. 1647. Whenever the militia is called into the actual service o the United States their pay shall be deemed to commence from the da of their appearing at the place of battalion, regimental, or brigade ren dezvous.

SEC. 1648. The officers and enlisted men of the militia shall be entitled to subsistence and transportation from their houses to the place of gen eral rendezvous, and, when discharged the service of the United States, to subsistence and transportation to their homes, in both cases the sub-sistence and transportation to be provided in the same manner as in like cases to the Regular Army of the United States.

SEC. 1649. The officers of all mounted companies in the militia called into the service of the United States shall each be entitled to receive forage, or money in lieu thereof, for two horses, and forty cents per day shall be allowed for the use and risk of each horse, except horses killed in battle or dying of wounds received in battle. Each non-commissioned officer, musician, artificer, and private of such mounted companies shall be entitled to receive forage in kind for one horse, with forty cents per day for the use and risk thereof, except horses killed in battle, or dying of wounds received in battle.

SEC. 1650. The expenses incurred by marching the militia of any State or Territory to their places of rendezvous, in pursuance of a requisition of the President, or of a call made by the authority of any State or Territory, and approved by him, shall be adjusted and paid in like manner as the expenses incurred after their arrival at such places of rendezvous, on the requisition of the President; but this provision does not authorize any species of expenditure, previous to arriving at the place of rendezvous, which is not provided by existing laws to be paid for after their arrival at such place of rendezvous.

SEC. 1651. When any officer or enlisted man of the militia or volunteer corps dies in the service of the United States, or in returning to his place of residence after being mustered out of service, or at any time in consequence of wounds received in service, and leaves a widow, or, if no widow, a child or children under sixteen years of age, such widow, or, if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, during the term of five years; and in case of the death or intermarriage of such widow before the expiration of five years, the half-pay for the remainder of the time shall go to the child or children of the decedent. And the Secretary of the Interior shall adopt such forms of evidence, in applications under this section, as the President may prescribe.

SEC. 1652. Courts-martial for the trial of militia shall be composed of militia officers only.

SEC. 1653. All fines assessed under the provisions of law concerning the militia or volunteer corps, when called into the actual service of the United States, shall be certified by the presiding officer of the court-martial before whom they are assessed to the marshal of the district in which the delinquent resides, or to one of his deputies, and to the Comptroller of the Treasury, who shall record the certificate in a book to be kept for that purpose. The marshal or his deputy shall forthwith proceed to levy the fines with costs, by distress and sale of the goods and chattels of the delinquent, which costs and the manner of proceeding, with respect to the sale of the goods distrained, shall be agreeable to the laws of the State in which the same may be in other cases of distress. And where any non-commissioned officer or private is adjudged to suffer imprisonment, there being no goods or chattels to be found whereof to levy the fines, the marshal of the district or his deputy shall commit such delinquent to jail during the term for which he is so adjudged to imprisonment, or until the fine is paid, in the same manner as other persons condemned to fine and imprisonment at the suit of the United States may be committed.

SEC. 1654. The marshal shall pay all fines collected by him or his deputy, under the authority of the preceding section, into the Treasury of the United States, within two months after he has received the same, deducting five per centum for his compensation; and in case of failure, it shall be the duty of the Comptroller of the Treasury to give notice

to the district attorney of the United States, who shall proceed against the marshal in the district court, by attachment, for the recovery of the same.

SEC. 1655. The annual sum of one million dollars is appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of providing arms and equipments for the whole body of the militia, either by purchase or manufacture, by and on account of the United States.

LETTER

FROM

THE SECRETARY OF WAR,

COMMUNICATING,

In compliance with a Senate resolution of December 13, 1877, further information in relation to the militia force of the United States.

FEBRUARY 8, 1878.—Ordered to lie on the table and be printed.

WAR DEPARTMENT,
Washington City, February 7, 1878.

The Secretary of War has the honor to transmit to the United States Senate, in compliance with the resolution of the Senate dated December 13, 1877, reports of the Chief of Ordnance,* the Adjutant-General, the Quartermaster-General, the Commissary-General of Subsistence, and the Paymaster-General, on the subject of the militia of the United States, which give the information called for in the resolution above referred to.

GEO. W. McCRARY,
Secretary of War.

The PRESIDENT *of the United States Senate.*

IN THE SENATE OF THE UNITED STATES,
December 13, 1877.

Whereas section 1625 of the Revised Statutes provides that every able-bodied male citizen of the respective States resident therein who is of the age of eighteen years and under the age of forty-five years shall be enrolled in the militia, and section 1661 further provides that "the annual sum of $200,000 is appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of providing arms and equipments for the whole body of the militia, either by purchase or manufacture by and on account of the United States": Therefore,

Be it resolved, That the Secretary of War is hereby directed to report to the Senate the condition and number of militia enrolled in the several States and what recommendation he may have, if any, looking to a more thorough organization and collection of information and reports concerning the same; also, that he report to the Senate the amount annually apportioned to each of the States under said section 1661; and whether any State has received or been credited with more or less than its proportion of the sum annually appropriated, and what amount, if any, is now due any of the States, and if at any time any of the States have been excluded from the benefits of said section, what States, and for how long; also, under the terms "arms and equipments," what kind of arms and what articles are or can be furnished; also if in his opinion the amount annually appropriated should be increased.

Attest:

GEO. C. GORHAM,
Secretary.

* For report of the Chief of Ordnance, see S. Ex. Doc. No. 22, second session Forty-fifth Congress.

WAR DEPARTMENT,
Adjutant-General's Office, January 18, 1878.

SIR: The annexed report of the Chief of Ordnance furnishes the inf mation called for in regard to the issue of arms, &c., and the follo ing refers only to the returns of numbers enrolled and replies to t clause, "what recommendation he may have, if any, looking to a mo thorough organization and collection of information or reports concer ing the same."

The inclosed table, marked A, published with the Army Regist for the current year, will show the numbers, tabulated from the repo of adjutants-general of States, rendered under section 1636, Revis Statutes, and is as full as the information furnished by them admits making. A new table is now in course of preparation from the retur lately received.

The inclosed papers, marked B and C, will show the correspondec on this subject heretofore had with State authorities. The circul shows steps annually taken by this department to obtain the retur required by law. The difficulty is not so much one of getting inform tion as of finding material in the States to report.

In regard "to more thorough organization" of the militia, it is n believed that an "enrolled" militia can be successfully established this country, on account of the expense required and the annoyance citizens, who would object to service because it would interrupt th private pursuits. A volunteer militia can possibly be encouraged to greater extent than is now done, by the general government affordi additional facilities, besides ordnance stores, for uniforms and cam equipage. If the several States would make more liberal allowance f pay, especially for the regimental adjutant, to enable him to devo a large portion of his time to the interests of the regiment, the pay be conditioned on the performance of certain duties to be prescribed b the State law, and would provide camping-grounds, transportation, &c perhaps at least a regiment in each Congressional district might b made tolerably efficient in drill and discipline to meet an emergency.

The Quartermaster's Department of the Army might, if allowed b law, procure camp-equipage for the use of regiments. The same ou fit could be used by ten or more regiments or brigades in turn during th season for encampments of, say, one week each. The same departmen might also furnish uniforms for officers and men at cost prices, if Con gress should authorize it by law and appropriate money therefor. Wit this encouragement, it is believed a good regiment of militia would b raised in most of the Congressional districts, especially if the Stat authorities would endeavor carefully to select suitable officers.

It is obvious that without undue interference in the affairs of th States, as well as heavy expenditure of money, the general governmen could not, even if the law should sanction it, control the organization o their citizens into military bodies. The amount appropriated for th distribution of ordnance-stores might be increased, and to it might b added as above suggested an annual appropriation for camp equipage, and an authority might be given by law to the Quartermaster General to furnish uniform-clothing at cost prices. The States should be given to understand that upon their annual reports of their militia or volunteer organizations will depend the proportion of the stores to which they will be entitled.

I have the honor to be, sir, very respectfully, your obedient servant.

E. D. TOWNSEND,
Adjutant-General.

The Hon. SECRETARY OF WAR.

A.

MILITIA FORCE OF THE UNITED STATES.

Abstract of the militia force of the United States (organized and unorganized), according to the latest returns received at the Office of the Adjutant-General.

[Published in Army Register for January, 1878.]

States.	Organized strength.								Number of men available for military duty (unorganized).
	Year.	General officers.	General staff officers.	Regimental, field, and staff officers.	Company officers.	Total commissioned.	Total non-commissioned officers, musicians, privates, &c.	Aggregate.	
Maine	1876	1	18	9	39	67	803	870	78,376
New Hampshire	1876	1	17	17	78	113	1,234	1,347	39,419
Vermont	1876	1	11	9	39	60	617	677	44,366
Massachusetts	1876	3	32	99	211	345	3,529	3,874	216,109
Rhode Island	1876	3	35	88	96	222	1,856	2,078	39,966
Connecticut	1876	1	22	40	109	172	2,409	2,581	63,793
New York	1875	27	302	324	855	1,508	17,971	19,479	483,183
New Jersey	1876	3	41	67	178	289	3,663	3,952	248,127
Pennsylvania	1876	14	185	142	505	846	8,996	9,842	361,872
Delaware*									
Maryland	1876	1	10	16	64	91	1,200	1,291	89,344
Virginia*									
West Virginia*									
North Carolina*									
South Carolina	1875	15	39	143	340	537	6,412	6,949	77,040
Georgia*									
Florida	1876	6	30	7	17	60		60	32,775
Alabama*									
Mississippi	1875								135,178
Louisiana	1876	3	10	2	13	28	449	477	131,853
Texas	1876	1	1	15	109	126	1,727	1,853	74,458
Arkansas	1875	14	33	91	535	673	11,027	11,700	95,165
Kentucky	1876	1	2		42	45	834	879	217,044
Tennessee	1876	1	6		72	79	1,205	1,284	239,564
Ohio	1875		6	15	241	262	4,368	4,630	229,725
Indiana	1876	1	2			3		3	377,833
Michigan†	1876	1	9	20	72	102	1,792	1,894	
Illinois†	1876	2	19	55	165	241	4,742	4,983	
Missouri†	1876	1	6		35	42	719	761	
Wisconsin†	1875	3	13	6	80	102	1,635	1,737	
Minnesota†	1876				43	43	1,183	1,226	
Iowa	1876	1	10	34	196	241	2,510	2,751	190,810
Nebraska‡	1875		17		57	74	762	836	46,000
Kansas‡	1876	6	7	7	103	123	2,125	2,248	95,000
Nevada	1875	4	26		36	66	695	761	15,639
Oregon	1875	5	27		17	49		49	17,608
California§	1876	7	81	34	113	235	2,390	2,625	94,447
Colorado*									
Grand aggregate		127	1,017	1,240	4,460	6,844	86,853	93,697	3,734,693

* Returns not received.
‡ Unorganized strength estimated.
† No enrollment.
§ Enrollment incomplete.

B.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, ———, 187–.

GENERAL: I am directed by the Secretary of War to invite your attention to the provisions of section 1636, Revised Statutes of the United States, a copy of which is hereto annexed.

In conformity therewith I have the honor of requesting you to forward to the Adjutant-General of the Army, on or before the first Monday in January next, the annual return of militia of your State.

A supply of blanks for this purpose is sent herewith.

Should there be no militia, either organized or unorganized, in your State, it is desired that you note that fact on the face of a blank and forward it to this office.

Very respectfully, your obedient servant,

——— ———,
Assistant Adjutant-General.

ADJUTANT-GENERAL,
State of ———.

Section 1636, *Revised Statutes of the United States.*

It shall be the duty of the adjutant-general in each State to make return of the militia of the State, with their arms, accouterments, and ammunition, agreeably to the provisions of law, to the President of the United States, annually, on or before the first Monday in January; and it shall be the duty of the Secretary of War, from time to time, to give such directions to the adjutant-generals of the militia as may, in his opinion, be necessary to produce a uniformity in such returns.

C.

Extracts from reports of adjutants-general of States received in reply to circular marked B.

GENERAL HEADQUARTERS STATE OF MINNESOTA,
ADJUTANT-GENERAL'S OFFICE,
Saint Paul, December 1, 1875.

To the Hon. SECRETARY OF WAR:

* * * * * * *

Owing to the lack of efficient legislation, there is no fully organized State militia. The following independent companies are supplied with arms by the State and maintain a creditable discipline:

Capt. D. A. Montfort, Saint Paul, 80 men.
Capt. J. B. Roberts, New Ulm, 40 men.
Capt. M. McDonald, Audubon, 40 men.

* * * * * * *

Very respectfully,

HENRY A. CASTH,
Adjutant-General, Minnesota.

ADJUTANT-GENERAL'S OFFICE,
Richmond, Va., January 17, 1876.

* * * * * * *

The militia of the line is not yet organized, and the returns only embrace the uniformed and armed volunteer corps.

* * * * * * *

Very respectfully, your obedient servant,

WM. H. RICHARDSON,
Adjutant-General.

MILITARY DEPARTMENT, MICHIGAN,
ADJUTANT-GENERAL'S OFFICE,
Detroit, January 31, 1876.

* * * * * * *

There is no enrollment of militia unorganized.

Very respectfully, your obedient servant,

JOHN ROBERTSON,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,
STATE OF LOUISIANA,
New Orleans, December 15, 1875.

* * * * * * *

The condition of things has been such that I find it almost impossible to make the "annual return" called for in your circular.

There are various commands in process of organization, but the tendency seems to be against being mustered into the service of the State.

I have no data upon which to fill up the column in relation to the number of men available for military duty (unorganized). The legislature, which will meet in a few days, will no doubt take immediate steps to have a thorough organization of the militia made. As soon as that is completed I will make a full return.

Very respectfully, your obedient servant,

J. W. PATTON,
Adjutant-General.

STATE OF ARKANSAS, ADJUTANT-GENERAL'S OFFICE,
Little Rock, December 31, 1875.

* * * * * * *

By way of explanation, it is proper to state that the progress of organization during the year is not fully shown by this report, as the different district commanders have not been able to forward their reports in proper manner and in due time. The reasons for this are many. The impoverished condition of the State made stationery exceedingly scarce in the military department so that the necessary blanks could not be furnished when it should have been done. The necessity for the people at large being allowed to attend to their private affairs and rebuild their business induced the government to grant every indulgence in the way of relaxing that rigor which alone can make the enforcement of militia laws thoroughly effective; and the general disposition has been to push the full organization of a military force only in those districts where the militia, when so organized, could be conveniently handled for the suppression of disorder and the enforcement of the law.

* * * * * * *

Very respectfully,

C. H. WOOD,
Adjutant-General, Arkansas.

HEADQUARTERS STATE OF MISSOURI,
ADJUTANT-GENERAL'S OFFICE,
Jefferson City, December 28, 1875.

SIR: I have the honor to transmit herewith the annual return of the militia of the State of Missouri for the year ending December 31, 1875, from which it will be seen that there is really no organized militia of any importance in this State. This condition of affairs is owing mainly to the non-existence of a proper militia system and the failure by the proper authorities to appropriate any money for the support of the State militia. There are some thirty companies in the State at large, nearly all of which are in a disorganized and demoralized condition, not more than two or three of which could be made available for active duty in the event of a demand for their services. All efforts to secure a report from these companies as to their status and condition during the past year have been abortive, and until there shall be some appropriate legislation making provision for the reorganization and rehabilitation of the State militia there will be nothing in relation thereto worthy of mention in an annual return.

I am, sir, very respectfully,

G. C. BINGHAM,
Adjutant-General, Missouri.

The ADJUTANT-GENERAL U. S. A.,
Washington, D. C.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., January 31, 1878.

SIR: I have the honor to return herewith copy of resolution of the United States Senate of December 13, 1877, requesting information relative to the militia of the several States, accompanied by reports from the Chief of Ordnance and Adjutant-General of the Army.

According to the table of the national militia, page 553 of the Compendium of the Census of 1870, the latest, the number of citizens of the age and condition to be included in the militia of the United States,

under section 1625, Revised Statutes, is about 7,500,000. Allowing that of these not more than 50 per cent. were non-exempt, were the law with all its exemptions strictly executed, there would be enrolled as militia, to be provided with arms and equipments, 3,750,000.

Thus far the terms "arms" and "equipments," used in section 1661, Revised Statutes, which fixes the annual appropriation from the Treasury of the United States for the expenses of this militia, have been interpreted to mean arms proper and equipments for the convenient use of these arms.

Clothing, camp and garrison equipage have not been considered as embraced within the meaning and intent of the law, and the regular annual appropriation of $200,000 has always, I understand, been placed under control of the Ordnance Department in the War Department. The Quartermaster's Department has had no control thereof.

If it be determined to enforce the existing laws in regard to the militia, then it is estimated that provision should be made for camp-equipage sufficient to place 3,750,000 militia in camp for a certain period during each year, and to provide tents and other camp-equipage for each officer and man.

Clothing, camp and garrison equipage, and clothing to the extent of one complete suit for each man of the rank and file.

The accompanying table shows the cost at present prices of such a supply. It is believed that it will not be practicable at this time to compel many American militiamen to wear clothing which has been used by others, or to keep a suit of clothing for a year in condition to appear on parade at a second annual training. Therefore the clothing would have to be supplied annually.

Its cost would be	$133,891,048 00
Camp and garrison equipage	23,233,154 40
NOTE.—Clothing, an annual expense and appropriation; equipage, if cared for by United States officers, would last, say, five years. The tents and equipage may be assumed to last five years. Their cost would be a charge in the first year, and to be renewed every five years.	
Transportation:	
The estimated cost of transportation of these supplies and of the arms and equipments to be supplied by the Ordnance Department, and of food and other stores to the several places of rendezvous, and for storing and preserving all the property remaining after the annual training is over, in the interval between the seasons of field exercise	30,468,000 00
For transportation of the men to the places of service and return	35,500,748 37
Incidental expenses:	
For incidental expenses, including the hire of clerks and agents to take charge of these stores when not in use by the militia	408,840 00
Barracks and quarters:	
For rent of grounds, for expenses for compensation to proprietors for crops destroyed, and fences and other property injured by the occupation of camping-grounds, and in marches and maneuvers	15,000,000 00
Regular supplies:	
Fuel, forage, straw, &c	6,594,481 38
The sum of these items is	245,096,272 15

The law prescribes the enrollment of *all* able-bodied citizens within he military age, with certain designated exemptions. These exemp-ions would probably not amount to 50 per cent., but, considering the ifficulty in this country of enforcing a militia law, it is believed to be afe to assume that 50 per cent. of the whole number within the military ge will for many years be the extreme limit of those actually called out, nd the above estimates are therefore based upon this number, viz, ,750,000 men and officers.

In Germany 48 per cent. of those who in any year attain the age of nrollment are not fit for military service. It is not stated whether the enate resolution has in view provision for maintenance and equipment f this militia by appropriations from the Treasury of the United States r from the revenues of the individual States; but, from whatever source he money comes, the above estimates are believed to be as near an ap-roximation as can be arrived at at this time to the actual cost of the uartermaster's equipment and service of such an assembly and train-g of the whole militia population of the United States.

The training of all the militia now ordered by law to be enrolled and rained will, if executed, cost this amount to the people who pay the axes.

If the expense is met and controlled by the general government, it ill be managed with more experience and knowledge, and, therefore, ith more economy, than if it is thrown upon the States or upon the eople themselves directly.

As I am invited to offer suggestions for the improvement of the laws pon this subject, I must say that with a population of 45,000,000 of eople actively engaged in the business of earning a living for them-elves and families and in improving their condition in life, and imbued ith the ideas of personal liberty and freedom from compulsory service hich prevail in the United States, I believe that all attempts in time of eace to enforce general organization and training of the militia will rove fruitless.

The true militia of the United States is the volunteer force, and that ill not respond to calls for mere training, but will always respond to the call of their country when threatened by foreign or domestic ene-nies.

The only sure provision under existing conditions which the general government can make for training the militia appears to me to be the maintenance of national military schools, the maintenance of a very fully officered army, sufficient for the protection of the frontier against savages and for the care and preservation of its sea-coast defenses, the encouragement of military instruction in volunteer organizations and in the public institutions of learning throughout the country by aiding the latter by the supply of professors and teachers of military art and science therein.

By these means a body of men in every generation can be instructed and prepared, and can be continued, able to officer and train and dis-cipline quickly the rank and file of the large armies which domestic or foreign conflict must in these days call into the field.

These measures are expensive, but they cost very much less than the organization and pay of the whole now legal militia.

In populous neighborhoods, in the great cities especially, volunteer organizations exist; some in a good state of instruction; a few, perhaps, well disciplined. The general government might wisely aid and foster these organizations by some pecuniary assistance toward providing them with uniform-clothing and with camp-equipage. But even this

would be found perhaps so costly that appropriations would be some times withheld, and once withheld the whole edifice, carefully reared would fall to pieces under the sense of injustice, of breach of contract among the members of the different organizations.

Only by the severe discipline of a national organized regular army, can the evil effects of failure of appropriations to fulfill the nation's contract with its soldiers be repressed and prevented from leading to serious disorganization and disobedience.

We have no powerful neighbor able to cross our frontier with a great army.

Our dangers are domestic insurrection, and raids upon our coast cities by the great fleets of European powers, which, with scant warning, or occasion of such an accident as the seizure by a national vessel of Mason and Slidell, could be precipitated on our shores.

Once in New York Harbor, the money of the banks and of the sub treasury, and much of that in private hands would be at the mercy of such a squadron as Great Britain, France, Russia, Germany, or Italy could dispatch on a few days' notice.

The history of Chambersburg, of France, of Turkey within the past few years, shows that modern armies do not hesitate to enforce military contributions as great as the means of the city or country at their mercy can supply.

Against these attacks a militia will be useless. Against domestic insurrection the training of the whole nation as militia offers no guarantee.

Such insurrections will not be serious or dangerous unless a large section of the people or of the country unites in them. Then the advantages of military training would, on such a system, be equal with both sides, and the trained men and officers would follow their respective parties.

Only by a regular army, maintained by the general government, can the peace of the country be protected in case of any wide-spread rising, and it is not likely that the people's representatives will be willing to pay for an army large enough to have a much greater influence in another domestic struggle than in the last great conflict.

If the project to organize and train a militia is ever carried into execution by the general government, then I think that it will be found necessary to limit the training to men who, being able-bodied, have just reached the military age. Laws in this country, to be respected and enforced, must be uniform.

All the able men between 18 and 45 it is impossible to call out and support during any period of time in which they could acquire any useful military skill. All those who in any one calendar year attain the age of 21 may be called into the field of exercise. Of such there are this year in the United States 420,000 men. Of this 48 per cent. are unfit for military duty, and 52 per cent. are able-bodied and capable of undergoing the fatigues of military life. This would give a force of 220,000 men.

Suppose the training to be enforced on each man for two successive years. The militia force under pay for a few weeks in each year would then be 440,000 men. If service exercise was enforced for three successive years, it would be 660,000 men.

Reducing the estimate of the cost of the whole now legal and constitutional militia in proportion to the reduced force herein supposed, the cost would be in a single year for 220,000 men:

For clothing	$7,875,941
For camp and garrison equipage	1,366,647
For transportation	3,880,529
For incidental expenses	24,049
For barracks and quarters	882,923
For regular supplies	387,941
Total cost of inaugurating the system so far as it relates to the quartermaster's department thereof	14,418,030
Total annual cost of supplying the camp and garrison equipage, to last five years on an average	1,366,647
The annual cost of a two years' service (440,000 men)	28,836,060
The annual cost of a three years' service (660,000 men)	43,254,090

In the above nothing has been said as to pay of militia. That remains for the Pay Department to consider. But I may call attention to the cost under which Europe groans, of the loss of work and waste of wages involved in the training of large bodies of soldiers; 3,750,000 men in the prime of life called from their trades and business for 40 days would lose to themselves and the country at least $1 each for each day thus employed. This amounts to $150,000,000 more of annual cost.

Very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster-General, Brevet Major-General, U. S. A.

The Hon. SECRETARY OF WAR.

[General Orders No. 106.]

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, November 24, 1877.

The accompanying table of the price of clothing and equipage for the Army of the United States, with the allowance to each soldier for clothing in kind during each year of his enlistment, and the money allowance therefor for each year and day, also of the allowance of camp and garrison equipage, having been approved by the Secretary of War, is published for the information and guidance of all concerned. It will take effect on the 1st of January, 1878, and will remain in force until further orders.

Hats, uniform-caps, forage-caps, uniform-coats, uniform-jackets, and flannel sack coats of the patterns in use prior to the adoption of the new uniform will be borne on the returns as "old-pattern clothing," and will be issued at the prices fixed in General Orders No. 75, Adjutant-General's Office, 1871.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant-General.

Statement of the price at which clothing for the Army of the United States will be issued fr January 1, 1878, until further orders.

Clothing.	Ordnance-sergeants.	Hospital-stewards.	Commissary-sergeants.	Corporals and privates of ordnance.	Engineer troops.	Artillery.	Infantry.	Light artillery.	Cavalry and Signal
Helmet, without trimmings.....each..	.....	.....	.....	.....	.....	.....	.....	$2 95	[illegible]
Helmet hair-plume.....do...	.....	.....	.....	.....	.....	.....	.....	26	
Helmet cord and band .....do...	.....	.....	.....	.....	.....	.....	.....	75	
Helmet top-piece and socket for plume.do...	.....	.....	.....	.....	.....	.....	.....	52	
Helmet-eagle .....do...	.....	.....	.....	.....	.....	.....	.....	14	
Helmet scroll and ring .....per pair.	.....	.....	.....	.....	.....	.....	.....	4	
Helmet side-buttons .....do...	.....	.....	.....	.....	.....	.....	.....	3	
Uniform dress-cap, without trimmings.each .	$1 96	$1 96	$1 96	$1 96	$1 96	$1 96	$1 96	.....	
Uniform dress-cap pompon .....do...	26	26	29	26	29	23	23	.....	
Uniform dress-cap eagle .....do...	2	2	2	2	2	2	2	.....	
Uniform dress-cap crossed cannon ....do...	.....	.....	.....	.....	.....	2	.....	.....	
Uniform dress-cap crossed rifles .....do...	.....	.....	.....	.....	.....	.....	2	.....	
Uniform dress-cap castle .....do...	.....	.....	.....	.....	2	.....	.....	.....	
Uniform dress-cap bugle.....do...	.....	.....	.....	.....	.....	2	2	2	
Uniform dress-cap crescent .....do...	.....	.....	2	.....	.....	.....	.....	.....	
Uniform dress-cap wreath .....do...	.....	4	.....	.....	.....	.....	.....	.....	
Uniform dress-cap U. or S .....do...	.....	5	.....	.....	.....	.....	.....	.....	
Uniform dress-cap shell and flame.....do...	2	.....	.....	2	.....	.....	.....	.....	
Campaign-hat.....do...	1 25	1 25	1 25	1 25	1 25	1 25	1 25	1 25	
Campaign-hat cord and tassel.....do...	7	7	7	7	7	7	7	7	
Forage-cap.....do...	69	69	69	69	69	69	69	69	
Crossed sabers, cannon, or rifles, shell and flame, bugle, castle, crescent, and wreath, with letters U. S. for caps.....each..	2	14	2	2	2	2	2	2	
Letter, brass .....do...	.....	.....	.....	.....	1	1	1	1	
Number, brass .....do...	.....	.....	.....	.....	.....	1	1	1	
Great-coat .....do...	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	
Great-coat lined with blanket.....do...	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	
Uniform-coat, musician's .....do...	.....	.....	.....	.....	11 32	10 99	11 01	10 83	[illegible]
Uniform-coat, without chevrons.....do...	10 07	10 07	10 09	10 07	10 07	9 75	9 75	9 58	
Crescent, castle, shell, and flame, for uniform-coat.....each..	3	.....	3	3	3	.....	.....	.....	
Blouse, lined .....do...	3 64	3 64	3 64	3 64	3 64	3 64	3 64	3 64	
Blouse, unlined.....do...	3 18	3 18	3 18	3 18	3 18	3 18	3 18	3 1[illegible]	
Stable frock.....do...	.....	.....	.....	.....	.....	.....	.....	93	
Overalls .....per pair..	.....	.....	.....	.....	1 74	.....	.....	68	
Trowsers, privates', made.....do....	3 09	3 09	3 09	3 09	3 09	3 09	3 09	4 05	
Trowsers, privates', unmade .....do....	2 59	2 59	2 59	2 59	2 59	2 59	2 59	3 30	
Shirt, flannel, light or heavy quality...each..	1 28	1 28	1 28	1 28	1 28	1 28	1 28	1 2[illegible]	
Drawers.....per pair..	61	61	61	61	61	61	61	61	
Stockings, woolen .....do....	29	29	29	29	29	29	29	29	
Stockings, worsted .....do....	46	46	46	46	46	46	46	46	
Berlin gloves .....do....	15	15	15	15	15	15	15	15	
Mittens, woolen .....do....	25	25	25	25	25	25	25	25	
Boots, brass screwed .....do....	3 19	3 19	3 19	3 19	3 19	3 19	3 19	3 19	
Shoes, brass-screwed.....do....	1 86	1 86	1 86	1 86	1 86	1 86	1 86	1 86	
Buffalo overshoes.....do....	2 85	2 85	2 85	2 85	2 85	2 85	2 85	2 85	
Arctic overshoes.....do....	2 40	2 40	2 40	2 40	2 40	2 40	2 40	2 40	
Blankets, woolen.....each...	4 25	4 25	4 25	4 25	4 25	4 25	4 25	4 25	
Blankets, rubber .....do ..	1 96	1 96	1 96	1 96	1 96	1 96	1 96	.....	
Ponchos.....do...	.....	.....	.....	.....	.....	.....	.....	2 63	
Chevrons, non-commissioned staff and first sergeants' .....per pair..	83	83	83	.....	83	83	83	83	
Chevrons, sergeants' .....do....	.....	.....	.....	.....	41	41	41	41	
Chevrons, corporals' .....do....	.....	.....	.....	32	32	32	32	32	
Chevrons, service, peace.....do....	20	20	20	20	20	20	20	20	
Chevrons, service, war.....do....	35	35	35	35	35	35	35	35	
Chevrons, pioneers' and farriers' .....do....	.....	.....	.....	.....	78	78	78	78	
Chevrons, device for Signal Corps.....each..	.....	.....	.....	.....	.....	.....	.....	.....	
Stripes for trowsers.....per pair..	31	31	32	.....	.....	.....	.....	.....	
Stripes for trowsers, sergeants'.....do....	.....	.....	.....	.....	34	26	26	26	
Stripes for trowsers, corporals' .....do....	.....	.....	.....	17	25	17	17	17	

Materials sold to officers for their personal use should be charged at the following rates: Dark-bl flannel, ⅔, $1.20 per yard; dark-blue flannel, ½, 60 cents per yard; dark-blue cloth, ⅔, $2.67 per yar sky-blue kersey, ⅔, $1.65 per yard; shirting-flannel, ½, 27 cents per yard for light quality; canton-flann 30 inches, 11 cents per yard; shirting-flannel, ½, 26 cents per yard for heavy quality.

NOTE.—The Quartermaster's Department does not procure any cloth or clothing expressly for sa to officers; but, under paragraph 1166 of the Revised Regulations, officers may purchase of cloth, kerse flannel, and clothing procured for enlisted men such quantities as they may require for their own pe sonal use at the prices given in this list. Purchases can also be made for their servants under par graph 1167 of the articles therein named. Materials for the manufacture of clothing will not be sold enlisted men.

Prices at which camp and garrison equipage will be charged in case of loss or damage.

Articles.	Amount.	Articles.	Amount.
bunk, without slats	$4 50	Book, regimental letter	$1 51
ack, double	1 66	Book, regimental descriptive	2 11
ack, single	1 51	Book, regimental index	87
w sacks	54	Book, regimental order	1 51
quito-bar	73	Regimental books, set	7 56
pot	82	Target-practice book	33
p-kettle	44	Tent, hospital	36 00
p-pan	90	Tent, fly, hospital	13 50
	73	Tent-poles, hospital, set	3 90
helve	16	Tent-pins, hospital, set	1 68
ling	31	Tent, hospital, complete	55 66
chet	36	Tent, wall	16 34
chet-helve	3	Tent, fly, wall	4 98
chet sling	25	Tent-poles, wall, set	2 00
ke	61	Tent-pins, wall, set	1 20
wel	59	Tent, wall, complete	24 52
-ax	67	Tent, common	7 00
-ax helve	7	Tent-poles, common, set	1 25
m, complete	3 45	Tent-pins, common, set	68
m-head, batter	87	Tent, common, complete	8 93
m-head, snare	35	Tent, shelter, two halves	2 80
m-sling	18	Tent-poles, shelter, set	40
m-sticks, pair	11	Tent-pins, shelter, set	12
m-sticks, carriage	23	Tent, shelter, complete	3 32
m-cord	22	Tent-pin, hospital, large	4
m-snares, set	11	Tent-pin, wall, large	4
m-case	29	Tent-pin, common, small	4
mpet, with extra mouth-piece	1 45	Tent-pin, shelter	2
gle, with extra mouth-piece	1 63	Flag, garrison	72 71
l and tassle for trumpet or bugle	45	Flag, post	21 00
ra mouth-piece for trumpet or bugle	25	Flag-halliards, garrison, post, and storm	1 90
, B or C	17	Flag, storm and recruiting	4 67
k, company-clothing account	1 33	Flag-halliards, recruiting	13
k, company-order	55	Colors, national, artillery and infantry	27 56
k, company, descriptive	71	Colors, regimental, artillery and infantry	34 45
k, company morning report	1 00	Standard for mounted regiment	10 00
pany books, set	3 59	Guidon	4 44
k, post order	45	Color-belt and sling	1 57
k, post morning report	40	Camp-color	79
k, post letter	45	Stencil-plates, set	1 54
k, post-guard report	75	Scrubbing-brush	17
books, set	2 05	Corn-broom	23
k, regimental general order	1 56		

n overcoats	each	$15 00
ric caps	do	2 78
k, gauntlets	per pair	3 23
raps, muskrat	each	2 00
gauntlets, muskrat	per pair	2 25

Statement of the price at which clothing for the Army of the United States will be issued from January 1, 1878, until further orders.

Clothing.	Ordnance-sergeants.	Hospital-stewards.	Commissary-sergeants.	Corporals and privates of ordnance.	Engineer troops.	Artillery.	Infantry.	Light artillery.	Cavalry and signal corps.
Helmet, without trimmings.....each..	.....	.....	.....	.....	.....	.....	.....	$2 55	[illegible]
Helmet hair-plume.....do...	.....	.....	.....	.....	.....	.....	.....	76	[illegible]
Helmet cord and band .....do...	.....	.....	.....	.....	.....	.....	.....	75	[illegible]
Helmet top-piece and socket for plume.do...	.....	.....	.....	.....	.....	.....	.....	56	[illegible]
Helmet-eagle .....do...	.....	.....	.....	.....	.....	.....	.....	18	[illegible]
Helmet scroll and ring .....per pair.	.....	.....	.....	.....	.....	.....	.....	4	[illegible]
Helmet side-buttons .....do...	.....	.....	.....	.....	.....	.....	.....	3	[illegible]
Uniform dress-cap, without trimmings.each .	$1 96	$1 96	$1 96	$1 96	$1 96	$1 96	$1 96	.....	.....
Uniform dress-cap pompon .....do...	26	26	29	26	29	23	23	.....	.....
Uniform dress-cap eagle .....do...	2	2	2	2	2	2	2	.....	.....
Uniform dress-cap crossed cannon ....do...	.....	.....	.....	.....	.....	2	.....	.....	.....
Uniform dress-cap crossed rifles .....do...	.....	.....	.....	.....	.....	.....	2	.....	.....
Uniform dress-cap castle .....do...	.....	.....	.....	.....	2	.....	.....	.....	.....
Uniform dress-cap bugle.....do...	.....	.....	.....	.....	.....	2	2	2	[illegible]
Uniform dress-cap crescent.....do...	.....	.....	2	.....	.....	.....	.....	.....	.....
Uniform dress-cap wreath .....do...	.....	4	.....	.....	.....	.....	.....	.....	.....
Uniform dress-cap U. or S .....do...	.....	5	.....	.....	.....	.....	.....	.....	.....
Uniform dress-cap shell and flame.....do...	2	.....	.....	2	.....	.....	.....	.....	.....
Campaign-hat.....do...	1 25	1 25	1 25	1 25	1 25	1 25	1 25	1 25	[illegible]
Campaign-hat cord and tassel.....do...	7	7	7	7	7	7	7	7	[illegible]
Forage-cap.....do...	69	69	69	69	69	69	69	69	[illegible]
Crossed sabers, cannon, or rifles, shell and flame, bugle, castle, crescent, and wreath, with letters U. S. for caps.....each..	2	14	2	2	2	2	2	2	[illegible]
Letter, brass .....do...	.....	.....	.....	.....	1	1	1	1	[illegible]
Number, brass .....do...	.....	.....	.....	.....	.....	1	1	1	[illegible]
Great-coat .....do...	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	[illegible]
Great-coat lined with blanket.....do...	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	[illegible]
Uniform-coat, musician's .....do...	.....	.....	.....	.....	11 32	10 99	11 01	10 83	[illegible]
Uniform-coat, without chevrons.....do...	10 07	10 07	10 09	10 07	10 07	9 75	9 75	9 56	[illegible]
Crescent, castle, shell, and flame, for uniform-coat.....each..	3	.....	3	3	3	.....	.....	.....	[illegible]
Blouse, lined .....do...	3 64	3 64	3 64	3 64	3 64	3 64	3 64	3 64	[illegible]
Blouse, unlined.....do...	3 18	3 18	3 18	3 18	3 18	3 18	3 18	3 18	[illegible]
Stable frock.....do...	.....	.....	.....	.....	.....	.....	.....	93	[illegible]
Overalls .....per pair..	.....	.....	.....	.....	1 74	.....	.....	68	[illegible]
Trowsers, privates', made.....do....	3 09	3 09	3 09	3 09	3 09	3 09	3 09	4 05	[illegible]
Trowsers, privates', unmade .....do....	2 59	2 59	2 59	2 59	2 59	2 59	2 59	3 30	[illegible]
Shirt, flannel, light or heavy quality...each..	1 28	1 28	1 28	1 28	1 28	1 28	1 28	1 28	[illegible]
Drawers .....per pair..	61	61	61	61	61	61	61	61	[illegible]
Stockings, woolen .....do....	29	29	29	29	29	29	29	29	[illegible]
Stockings, worsted .....do....	46	46	46	46	46	46	46	46	[illegible]
Berlin gloves .....do....	15	15	15	15	15	15	15	15	[illegible]
Mittens, woolen .....do....	25	25	25	25	25	25	25	25	[illegible]
Boots, brass-screwed .....do....	3 19	3 19	3 19	3 19	3 19	3 19	3 19	3 19	[illegible]
Shoes, brass-screwed.....do....	1 86	1 86	1 86	1 86	1 86	1 86	1 86	1 86	[illegible]
Buffalo overshoes.....do....	2 85	2 85	2 85	2 85	2 85	2 85	2 85	2 85	[illegible]
Arctic overshoes.....do....	2 40	2 40	2 40	2 40	2 40	2 40	2 40	2 40	[illegible]
Blankets, woolen.....each...	4 25	4 25	4 25	4 25	4 25	4 25	4 25	4 25	[illegible]
Blankets, rubber .....do ..	1 96	1 96	1 96	1 96	1 96	1 96	1 96	.....	.....
Ponchos.....do...	.....	.....	.....	.....	.....	.....	.....	2 63	[illegible]
Chevrons, non-commissioned staff and first sergeants' .....per pair..	83	83	83	.....	83	83	83	83	[illegible]
Chevrons, sergeants' .....do....	.....	.....	.....	.....	41	41	41	41	[illegible]
Chevrons, corporals' .....do....	.....	.....	.....	32	32	32	32	32	[illegible]
Chevrons, service, peace.....do....	20	20	20	20	20	20	20	20	[illegible]
Chevrons, service, war.....do....	35	35	35	35	35	35	35	35	[illegible]
Chevrons, pioneers' and farriers' .....do....	.....	.....	.....	.....	78	78	78	78	[illegible]
Chevrons, device for Signal Corps.....each..	.....	.....	.....	.....	.....	.....	.....	.....	[illegible]
Stripes for trowsers.....per pair..	31	31	32	.....	.....	.....	.....	.....	[illegible]
Stripes for trowsers, sergeants'.....do....	.....	.....	.....	.....	34	26	26	26	[illegible]
Stripes for trowsers, corporals' .....do....	.....	.....	.....	17	25	17	17	17	[illegible]

Materials sold to officers for their personal use should be charged at the following rates: Dark-blue flannel, ⅔, $1.20 per yard; dark-blue flannel, ⅓, 60 cents per yard; dark-blue cloth, ⅔, $2.67 per yard; sky-blue kersey, ⅔, $1.65 per yard; shirting-flannel, ⅓, 27 cents per yard for light quality; canton-flannel, 30 inches, 11 cents per yard; shirting-flannel, ⅓, 26 cents per yard for heavy quality.

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Prices at which camp and garrison equipage will be charged in case of loss or damage.

Articles.	Amount.	Articles.	Amount.
[illegible] tent, without slates	$4 50	Book, regimental letter	$1 51
[illegible] tent, double	1 66	Book, regimental descriptive	2 11
[illegible] tent, single	1 51	Book, regimental index	87
[illegible] sacks	54	Book, regimental order	1 51
[illegible] auto-bar	73	Regimental books, set	7 56
[illegible] pot	82	Target-practice book	33
[illegible] kettle	44	Tent, hospital	36 00
[illegible] pan	20	Tent, fly, hospital	13 50
[illegible]	73	Tent-poles, hospital, set	3 90
[illegible]	16	Tent-pins, hospital, set	1 68
[illegible]	31	Tent, hospital, complete	55 08
[illegible]	36	Tent, wall	16 34
[illegible] helve	3	Tent, fly, wall	4 98
[illegible] sling	25	Tent-poles, wall, set	2 00
[illegible]	61	Tent-pins, wall, set	1 20
[illegible]	59	Tent, wall, complete	24 52
[illegible]	67	Tent, common	7 00
[illegible]	7	Tent-poles, common, set	1 25
[illegible] helve	3 45	Tent-pins, common, set	68
[illegible], complete	87	Tent, common, complete	8 93
[illegible] head, batter	35	Tent, shelter, two halves	2 80
[illegible] head, snare	18	Tent-poles, shelter, set	40
[illegible] sling	11	Tent-pins, shelter, set	12
[illegible] sticks, pair	23	Tent, shelter, complete	3 32
[illegible] sticks, carriage	22	Tent-pin, hospital, large	4
[illegible]	11	Tent-pin, wall, large	4
[illegible] snares, set	29	Tent-pin, common, small	4
[illegible]	1 45	Tent-pin, shelter	2
[illegible] with extra mouth-piece	1 63	Flag, garrison	72 71
[illegible] and tassle for trumpet or bugle	45	Flag, post	21 00
[illegible] mouth-piece for trumpet or bugle	25	Flag-halliards, garrison, post, and storm	1 90
[illegible]	17	Flag, storm and recruiting	4 67
[illegible] company-clothing account	1 33	Flag-halliards, recruiting	13
[illegible] company-order	55	Colors, national, artillery and infantry	27 56
[illegible] company, descriptive	71	Colors, regimental, artillery and infantry	34 45
[illegible] company morning report	1 00	Standard for mounted regiment	10 00
[illegible] books, set	3 59	Guidon	4 44
[illegible] order	45	Color-belt and sling	1 57
[illegible] morning report	40	Camp-color	79
[illegible] letter	45	Stencil-plates, set	1 54
[illegible] guard report	75	Scrubbing-brush	17
[illegible] set	2 05	Corn-broom	23
[illegible] mental general order	1 56		

[illegible] overcoats ... each	$15 00
[illegible] caps ... do	2 78
[illegible] gauntlets ... per pair	3 23
[illegible] caps, muskrat ... each	2 00
[illegible] gauntlets, muskrat ... per pair	2 25

Allowance of clothing.

Articles.	First year.	Second year.	Third year.	Fourth year.	Fifth year.	Total for five
Helmet—cavalry, light artillery, and Signal Corps—with trimmings complete	1	.....	1	.....	.....	
Dress-cap, with trimmings complete	1	.....	1	.....	.....	
Forage-cap	1	1	1	1	1	
Uniform-coat	1	1	.....	1	.....	
Trowsers	3	2	3	2	2	
Shirts	4	4	4	4	4	
Drawers	3	3	3	3	3	
Boots	1	1	1	1	1	
Shoes	2	2	2	2	2	
Stockings	5	5	5	5	5	
Blouses	2	2	2	2	2	
Great-coat	1	.....	.....	.....	.....	
Stable-frock for mounted men	1	.....	1	.....	.....	
Overalls for engineers and mounted men	1	1	1	1	1	
Blanket, woolen	1	.....	1	.....	.....	
Blanket, rubber, for foot troops	1	.....	1	.....	.....	
Poncho, rubber, for mounted troops	1	.....	1	.....	.....	
White Berlin gloves, pairs	8	8	8	8	8	

Overcoats lined with blanket or cloth, and woolen mittens, will be issued as provided for in Gen Orders No. 10, Adjutant-General's Office, 1875. Buffalo and arctic overshoes as required in Gen Orders No. 41, Adjutant-General's Office, 1876, and sealskin caps and gauntlets as provided by Gen Orders No. 39, Adjutant-General's Office, 1876, as modified by General Orders No. 31, Adjutant-Gener Office, 1877.

Campaign-hats are issued only to troops on the frontier or in active campaign, at the rate of one year.

Allowance of camp and garrison equipage.

IN CAMP, GARRISON, OR IN THE FIELD.

	Tents.		Axes.	Hatchets.	Spades.	Pickaxes.	Camp-kettles.	Spoons.
	Wall.	Common.						
A general officer	3	....	1	1	....	....	....	
Field and staff officer above rank of captain	2	....	1	1	....	....	....	
Other staff officers, or captains	1	....	1	1	....	....	....	
Subalterns of companies, to every two	1	....	1	1	....	....	....	
To every 6 foot, or 4 mounted men	....	1	....	....	....	....	....	
To every 15 foot, or 13 mounted men	....	....	2	2	2	2	2	
Laundress (par. 1610, Rev. Regs.)	....	1	....	....	....	....	....	

Tents for the sick, their attendants, and hospital supplies.

	Tents.	
	Hospital.	Common.
For 1 company	1	1
For 2 companies	2	2
For 3 companies	3	3
For 4 companies	3	3
For 5 companies	3	3
For 6 companies	3	3
For 7 companies	3	3
For 8 companies	4	3
For 9 companies	4	3
For 10 companies		

Flags.

	Post.	Storm.	Halliards.
each post or garrison, per year	1	2	2
each national cemetery, per year	....	2	2
Garrison-flags are supplied only to such posts as are designated from time to time by Secretary of War.)			

Corn-brooms and scrubbing-brushes.

To each company, without regard to its numerical strength, 3 corn-brooms and 2 scrubbing-brushes month.
To each post-bakery, 6 corn brooms per annum.
To each post-school, 6 corn brooms per annum.
To each post-chapel, 3 corn brooms per annum.
To each post-library, 4 corn brooms per annum.

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ble specifying the money allowance for clothing to enlisted men of the United States Army.

	Total 1st year.	Total 2d year.	Total 3d year.	Total 4th year.	Total 5th year.	Total for 5 years.	Per day, 1st year.	Per day, 2d year.	Per day, 3d year.	Per day, 4th year.	Per day, 5th year.
Non-commissioned staff:											
gineers	$64 46	$45 26	$46 23	$45 26	$34 30	$235 51	.177	.124	.127	.124	.094
nance-sergeants	62 60	43 46	44 37	43 46	32 50	226 39	.172	.119	.122	.119	.089
spital stewards	62 7e	43 52	44 61	43 52	32 62	227 05	.172	.119	.122	.119	.089
mmissary-sergeants	62 68	43 50	44 43	43 50	32 52	226 63	.172	.119	.122	.119	.089
valry and light artillery	70 11	45 44	52 41	45 44	35 01	248 41	.192	.125	.144	.125	.096
tillery	62 08	43 01	44 21	43 01	32 41	224 72	.17	.118	.121	.118	.089
antry	62 08	43 01	44 21	43 01	32 41	224 72	.17	.118	.121	.118	.089
ief trumpeters	69 68	45 43	51 57	45 43	34 17	246 28	.191	.125	.141	.125	.094
Principal musicians:											
tillery	63 32	44 25	44 21	44 25	32 41	228 44	.173	.121	.121	.121	.089
antry	63 34	44 27	44 21	44 27	32 41	228 50	.173	.121	.121	.121	.089
First sergeants:											
valry and light artillery	70 13	45 45	52 43	44 45	35 02	248 48	.192	.125	.144	.125	.096
tillery and infantry	62 10	43 02	44 23	43 02	32 42	224 79	.17	.118	.121	.118	.089
Sergeants:											
gineers	62 80	44 01	45 41	44 01	33 47	229 70	.172	.121	.124	.121	.092
valry and light artillery	68 45	44 19	51 59	44 19	34 18	242 60	.189	.121	.141	.121	.093
nal Corps	70 63	45 81	52 67	45 81	35 26	250 18	.194	.126	.144	.126	.097
tillery and infantry	60 42	41 76	43 39	41 76	31 58	218 91	.166	.114	.119	.114	.087
Corporals:											
gineers	62 17	43 56	44 96	43 56	33 11	227 36	.17	.119	.123	.119	.091
nance	60 14	41 65	42 93	41 65	31 20	217 57	.165	.114	.118	.114	.085
valry and light artillery	67 82	43 74	51 14	43 74	33 82	240 26	.186	.12	.14	.12	.093
tillery and infantry	59 79	41 31	42 94	41 31	31 22	216 57	.164	.113	.118	.113	.085
Musicians:											
gineers	61 39	43 35	43 57	43 35	31 97	223 63	.168	.119	.119	.119	.088
valry and light artillery	67 28	43 69	49 99	43 69	32 84	237 49	.184	.12	.137	.12	.09
tillery	59 24	21 25	41 79	41 25	30 24	213 77	.162	.113	.114	.113	.083
antry	59 26	41 27	41 79	41 27	30 24	213 83	.162	.113	.114	.113	.083
Artificers and privates:											
gineers	60 14	42 10	43 57	42 10	31 97	219 88	.165	.115	.119	.115	.088
nance	58 35	40 35	41 78	40 35	30 22	211 05	.16	.11	.144	.11	.083
valry and light artillery	66 03	42 44	49 99	42 44	32 84	233 74	.181	.116	.137	.116	.09
nal Corps, 1st class	68 27	44 06	51 07	44 06	33 92	241 32	.187	.121	.14	.121	.093
nal Corps, 2d class	67 09	43 22	50 51	43 22	33 36	237 40	.184	.118	.138	.118	.091
tillery and infantry	58 00	40 01	41 79	40 01	30 24	210 05	.159	.11	.114	.11	.083

Allowance of clothing to chief musicians, same as to quartermaster-sergeants. (See section 1279, Re- Statutes.)
Sergeants of ordnance have no clothing allowance. (See section 1297, Revised Statutes.)

WAR DEPARTMENT,
Washington City, February 5, 18

The Secretary of War desires me to send you the inclosed p (Senate resolution December 13, 1877, and reports of Chief of nance, Adjutant-General, and Quartermaster-General), relative to militia, with request that you will report upon the subject by to-row, if possible, as the Senate is waiting for the information.

Very respectfully, your obedient servant,

H. T. CROSBY,
Chief Cle

The COMMISSARY-GENERAL OF SUBSISTENCE
AND PAYMASTER-GENERAL.

[First indorsement.]

WAR DEPARTMENT,
OFFICE COMMISSARY-GENERAL OF SUBSISTENCE.
February 5, 1

Respectfully forwarded to the Paymaster-General, United States Army. My r of this date inclosed.

R. MACFEELY,
Commissary-General of Subsist

[Second indorsement.]

PAYMASTER-GENERAL'S OFFICE.
February 6, 187

Respectfully returned to the honorable Secretary of War, with report inclosed.

BENJ. ALVORD,
Paymaster-General, U. S. A

WAR DEPARTMENT,
OFFICE COMMISSARY-GENERAL OF SUBSISTENCE,
Washington, D. C., February 5, 1878.

SIR: I have the honor to acknowledge the receipt of your communic tion of this date, transmitting the Senate resolution dated December 1 1877, relative to the militia, and the reports thereon of the Chief Ordnance, Adjutant-General, and Quartermaster-General, with the quest that I report on said resolution "by to-morrow, if possible," a to report that, after the exhaustive opinions submitted by the offic above mentioned, I do not deem it necessary for me to do more than suggest that the organization of the militia, so far as it relates to t Subsistence Department, should correspond with that of the volunte army during the late war, *i. e.*, that a commissary of subsistence shou be allowed to each division and brigade, and a regimental commissa to each regiment; and that each State should have a commissary-ge eral of subsistence, under whose direction the subsistence of the mili of the State should be furnished.

Very respectfully, your obedient servant,

R. MACFEELY,
Commissary-General of Subsistence.

Hon. SECRETARY OF WAR.

WAR DEPARTMENT,
PAYMASTER-GENERAL'S OFFICE,
Washington, February 6, 1878.

SIR: I have the honor to acknowledge the receipt of your commun tion of yesterday, transmitting to me a copy of the Senate resolut of 13th December, relative to the militia.

It is my opinion that it is a matter of great importance that the mili- system should be encouraged and maintained, and that all proper s should be taken to keep up a martial spirit in our people, and itary knowledge, which could be encouraged and expanded in time war.

I think it is important to continue the detail of officers to act as "pro- sors of military science" in colleges and universities, under the act 28th July, 1866 (see sec. 1225, Revised Statutes). I recommend that rule of the War Department be rescinded confining said detail to o years in duration and to the rank of first lieutenants. And I know no sufficient reason for confining the detail to officers of artillery. o years is not sufficient for an officer to do himself justice, or to teach prepare himself to teach that profound art, the "art of war." Cer- inly it would not be satisfactory to an officer having a high and ade- ate idea of the task the law imposes. The rule would seem calculated belittle the whole undertaking.

In reference to the Pay Department, there is a permanent provision of , the act of July 7, 1838 (sec. 1184 of Revised Statutes), providing at in time of war additional paymasters, with the rank of major, shall appointed, not exceeding one for every two regiments of volunteers militia called into the service of the United States. This provision law has served in the Florida and Mexican wars, and in the late war, give the necessary temporary addition to the Pay Department of the rmy.

I am, sir, very respectfully, your obedient servant,

BENJ. ALVORD,
Paymaster-General United States Army.

The Hon. SECRETARY OF WAR.

IMPROVEMENT OF THE HARBOR AT BANGOR, MAINE

UNITED STATES ENGINEERS OFFICE,
Portland, Me., January 12, 18

GENERAL: In compliance with the wishes of some of the citize Bangor, Me., who are most interested in the commerce of that ci have made an investigation as to the practicability and cost of im ing the harbor near High Head wharves so as to make it availabl safe for vessels of the largest class (drawing about 21 feet loaded) now frequent that port for freighting lumber, &c., to foreign ports

High Head wharves are at the lower end of the harbor, abou mile below the toll-bridge. This is the only part of the harbor vessels of the largest class, above referred to, can float at low wate which is used for such trade—the depth of the channel being 18 feet at low water in the lowest known stages of the river, or abo feet at low water in its ordinary summer stages; the ordinary ris fall of the tide being 13 feet. These wharves extend into the riv far as the established harbor-lines, and have a depth immediat front of them ranging from 3 feet at their upper end (at the marked "a") to 18 feet at the lower end (at the point marked "d *extreme* low water, as shown on the accompanying drawing; the part being shoaled chiefly by outcroppings of ledge and the lowe by gravel and occasional bowlders.

To make this part of the harbor available and safe for vessels o largest class, would require, as ascertained from a very accurate s recently made:

215 cubic yards of rock excavation, at an estimated cost of	
About 1,450 cubic yards of dredging (gravel and bowlders), at an estimated cost of	
Adding for contingencies, say	
Total cost	

This would increase the depth in front of the harbor-lines so give in the *ordinary* stages of the river:

1. From the upper end of the wharf at "a" down to "b" (a distance of 275 feet), at low water;
2. Thence to point marked "c" (an additional distance of 150 feet), 15 feet at low and
3. Thence to the lower corner at "d" (an additional distance of 375 feet), 21 feet water.

These depths might possibly be 3 feet less when the river is in its lowest stages, which would be of very rare occurrence.

This, in my opinion, is a much-needed improvement, and in vie the comparatively small cost of the work, as above estimated, it i spectfully recommended that it be taken in hand at as early a da practicable; for which purpose an appropriation of $12,000 will b quired in addition to the sum of $6,000 asked for in my last annua port for completing the removal of the sunken ledges about midwa the new channel at Bangor, making a total of $18,000.

Very respectfully, your obedient servant,

GEO. THOM,
Lieut. Colonel of Engineers, Bv't Brig. Gen'l, U. S.

Brig. Gen'l A. A. HUMPHREYS,
Chief of Engineers U. S. A.

45TH CONGRESS, 2d Session. } SENATE. { Ex. Doc. No. 24.

FRANCO-GERMAN WAR

AND

INSURRECTION OF THE COMMUNE.

CORRESPONDENCE

OF

E. B. WASHBURNE,

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY OF THE UNITED STATES TO FRANCE.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1878.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

In compliance with a Senate resolution of December 6, 1877, information in relation to the Franco-German war.

FEBRUARY 11, 1878.—Ordered to lie on the table and be printed.

To the Senate:

I transmit herewith, in compliance with a resolution of the Senate of the 6th of December last, a report from the Secretary of State and its accompanying papers.

R. B. HAYES.

WASHINGTON, *February* 6, 1878.

To the President:

The Secretary of State, to whom was referred the resolution of the Senate of December 6, 1877, requesting the President, "if not incompatible with the public interests, to transmit to the Senate the correspondence of the minister of the United States at Paris with the State Department in relation to the Franco-German war, together with the correspondence of the said minister with the Count de Bismarck, Mr. von Thile, the Prussian minister of foreign affairs, Mr. Bancroft, the United States minister at Berlin, and Mr. Motley, the United States minister at London," has the honor to transmit herewith a copy of the correspondence requested by the resolution of the Senate.

Respectfully submitted.

WM. M. EVARTS.

DEPARTMENT OF STATE,
Washington, February 6, 1878.

LIST OF PAPERS, WITH THEIR SUBJECTS.

FRANCO-GERMAN WAR.

FRANCO-GERMAN WAR—Continued.

FRANCO-GERMAN WAR—Continued.

FRANCO-GERMAN WAR—Continued.

FRANCO-GERMAN WAR—Continued.

THE COMMUNE.

THE COMMUNE—Continued.

CORRESPONDENCE.

FRANCO-GERMAN WAR.

No. 1.

Mr. Washburne to Mr. Fish.

No. 225.

LEGATION OF THE UNITED STATES,
Paris, July 19, 1870. (Received August 3.)

SIR: Never did the peace of Europe seem better assured than when I left Paris, two weeks ago last Saturday, in virtue of your leave of absence, to seek health and repose at Carlsbad, in Bohemia. It was not until after my arrival at that remote and somewhat inaccessible point that matters appeared to be serious. I kept myself informed as to the progress of events as well as I could up to the time of the withdrawal of the Hohenzollern candidature. That, I supposed, would end the matter. But, instead, threatening rumors followed, and on Saturday last, the 16th instant, it was apparent even from the meager intelligence we received that a great crisis had been reached. It seemed to be quite certain war between France and the North German Confederation was inevitable. Under such circumstances I deemed it imperative upon me to return at once to my post of duty. On Saturday evening I left Carlsbad, and after a most tiresome journey of fifty-two continuous hours by diligence and rail, I reached Paris last night at ten o'clock. Colonel Hoffman has kept you fully posted in regard to the progress of events since I left. The sudden and unlooked-for breaking out of hostilities between two such powerful nations as France and the North German Confederation is a startling event. * * * No human ken can measure the consequences or the results. Great interests will be affected everywhere. The interests of our own country are now so interwoven with those of Europe that we must feel the shock. That shock has already been felt, and our people must be very greatly excited. I shall deem it my duty, therefore, to remain at my post and to gather all possible information to be transmitted promptly to you for the guidance of our government in the face of existing events. I shall not assume the role of a partisan, but shall endeavor to give you facts, and I shall comment thereon without bias or prejudice. From the experience we had in our country during the war for the suppression of the rebellion, we were made familiar with the rumors, exaggerations, and the false reports which spread in times of such great excitement. I presume that up to this time you have had the wildest statements circulated for stock-jobbing and for other purposes, and that you have had many accounts as to the causes of the war. I have spent much time to-day with official persons in a situation to know the facts, in order to be correctly advised in relation thereto. Upon the withdrawal of the Hohenzollern candidature everything was in a fair way of being accommodated. There is no truth in the reports concerning the indignity which the King of the North German Confederation offered to Benedetti, the envoy of France. The King of the North German Confederation himself has

given an emphatic denial to such reports, as I myself saw yesterday Cologne, in a telegraphic dispatch from Berlin, which was posted up a handbill. On the night of Wednesday, the 13th, everything pro ised a peaceable solution, but on Thursday morning at about two o'cl a dispatch was received at the foreign office in Paris, from the Fre chargé d'affaires at Berlin, transmitting the semi-official article in I marck's newspaper-organ, giving the North German Confederation s of the action of that government in the Hohenzollern affair. * *

On Saturday, the 16th, a special messenger was dispatched by French Government to Berlin with this declaration; and, while I writing this dispatch, Count Solms, the chargé d'affaires of the No German Confederation, has been in to say that Count Bismarck h telegraphed him that the notice of the declaration of war had b received at Berlin, and directing him to turn over the archives of t embassy of the North German Confederation to our legation, and leave Paris immediately with the entire *personnel* of the embassy. Th all leave to-morrow, and they will send here the most valuable of th archives, upon which I shall place the seal of this legation. A gr many things will be left in the embassy, upon some of which the co desires that our seal may be placed, and that we shall have an ov sight of the embassy and the property left there. He requests that, case there should be danger of an attack upon the Prussian embassy, should put up the American flag there for its protection. I told him should consult with the Duke de Gramont on Thursday next, touchi the extent of the protection that France expected we should give to th embassy. Whether or not, under the assent of France, our gover ment having given protection to the subjects of the North Germa Confederation in France and the archives of its embassy, would autho ize me to place the American flag over the embassy simply for its pro tection, is a question upon which I desire to be instructed by you.

It is not yet fully known what is to be the exact status of the South German States. Saxony has taken its position, and the Count de Se bach, envoy extraordinary and minister plenipotentiary of that country near the French court, has already left Paris. The chargé d'affaire has been to me this afternoon to say that he is requested by his so ereign to ask the same protection of the United States for the citizen of Saxony and for the archives of that legation as has been accorde to the North German Confederation. I told him to make his reque in writing and I would apply for the assent of the French Governmen and, if accorded, I felt certain that I should be carrying out the wishe of my government to give the protection; and I trust this will meet your approval.

I have, &c.,

E. B. WASHBURNE.

No. 2.

Mr. Washburne to Mr. Fish.

[By cable.]

PARIS, *July* 22, 1870—10.50 a. m.

FISH, *Washington:*

Government refuses to exempt North German steamers from captur except those now at sea, ignorant of war, which may enter French por

E. B. WASHBURNE.

No. 3.

Mr. Washburne to Mr. Fish.

No. 228.] LEGATION OF THE UNITED STATES,
Paris, July 2 , 1870. (Received August 3.)

Referring to the subject of the request made by you on the 17th instant, that I should inquire whether, in the event of war between France and the North German Confederation, the North German steamers would be exempt from capture, I have the honor to transmit you herewith—

First. A letter of Colonel Hoffman to the Duke de Gramont on this subject.

Second. A translation of a reply of the Duke de Gramont to the letter of Colonel Hoffman, received the 21st instant.

Third. A copy of the telegraphic dispatch which I yesterday transmitted to you on the receipt of the Duke de Gramont's communication.

I do not see that I can do anything further in this matter until advised by you. It seems to me that the difficulty would have been in a great measure solved if the recommendation of the President's message of the 15th instant, a synopsis of which we received by the telegraph, had been adopted by Congress.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.]

Mr. Hoffman to the Duke de Gramont.

LEGATION OF THE UNITED STATES,
Paris, July 17, 1870.

SIR: I have the honor to transmit to your excellency a copy of a telegram I have just received from Mr. Fish, with the request that your excellency will favor me with a reply as soon as possible.

It is probably known to your excellency that the steamers referred to do an immense carrying business between the United States and France. They also carry our mails to England and to France, to a greater extent than any other line. If they were to cease to run it would be a serious inconvenience to our Post-Office Department.

I take this opportunity to renew, &c., &c.

WICKHAM HOFFMAN.

His Excellency the DUKE DE GRAMONT, *&c., &c.*

Mr. Fish to Mr. Washburne.

[By cable.]

WASHINGTON, *July* 17, 1870.

WASHBURNE, *Paris:*

Government and people of the United States depend upon German steamers between Bremen, Hamburg, and New York for postal communication with Europe, under arrangements with the United States Post Office. Inquire whether, in the event of war with North Germany, these steamers will be exempt from capture. Report by cable.

FISH.

[Inclosure 2.]

The Duke de Gramont to Mr. Hoffman.

[Translation.]

PARIS, *July* —, 1870. (Received July 21, 1870.)

SIR: The consignees of the German steamers established between Hamburg, Bremen, and New York, stopping at Havre, have applied to the cabinet of Washington to know if they could, notwithstanding the war, continue their traffic without being ex-

posed to capture, and Mr. Hoffman was in consequence charged to ask of me what are, in this respect, the intentions of the government of the Emperor.

My colleague, the minister of the marine, whom I have just consulted upon this subject, desires me, with reason, to observe that the steamers in question are enemies' ships, and do not find themselves in any of the conditions required in order that, after the opening of hostilities, they may permanently be exceptionably authorized to continue the mercantile operations to which they are devoted. It is true that, like all merchant ships, they take charge of letters or of mails, the carriage of which, according to the federal laws, gives a right to compensation from the American treasury. But this compensation, whatever may be its form, cannot in any way influence the hostile and private character of the ship which receives it, nor consequently justify any exception to the general principle of the law of nations, of the character of that to which the telegraphic dispatch, which Mr. Hoffman did me the honor to communicate to me on the 18th of this month, refers.

The government of the Emperor feels, therefore, regret that it cannot resolve favorably the question put by the consignees of the Bremen and Hamburg steamers. However, and in order to save in a certain measure the complex interests engaged in these ships, we are disposed to exempt from capture those among them which are actually at sea, and which, in ignorance of the state of war, may enter one of the ports of the empire. I hope that the suspension of service performed by the company of Lloyd and of North Germany will not have for the federal Post Office the disagreeable consequences which it appears to apprehend, as the English and French packet-boats from Liverpool and from Havre will not cease to keep up regular communication between the United States and Europe.

Receive, &c.

GRAMONT.

[For inclosure 3, see preceding number.]

No. 4.

Mr. Washburne to Mr. Fish.

No. 231.] LEGATION OF THE UNITED STATES,
Paris, July 22, 1870. (Received August 3.)

Count Solms, chargé d'affaires of the North German Confederation, left here for Berlin on Wednesday night, after turning over to this legation the archives of the embassy to which he belonged. He expressed himself as much gratified with the courtesy which we have extended to him in receiving the archives of his embassy, and in assuming the protection of the subjects of the sovereign whom he represented.

Many subjects of the North German Confederacy found themselves here upon the formal declaration of war, and the Count left with me sufficient funds to pay the expenses of a certain number of them, who would be directed to call at this legation to obtain the proper authorization to leave the French territory. Accordingly many have presented themselves during the past three days to receive some proper instrument that will enable them to go out of France. I was unwilling to give any paper or certificate, in the nature of a visa, unless I was satisfied it would be respected by the French military and civil authorities. I therefore went to the foreign office yesterday to state the case and to ascertain whether these North German subjects would be permitted to leave, and, if so, upon what kind of a protection, to be issued by me. I was there advised that it was a somewhat serious question, and that it would be best for me to state my object in writing. I then addressed a letter to the Duke de Gramont, a copy of which is herewith inclosed, marked A. I was promised an answer to this letter before this time; but now, at five o'clock p. m., it has not come, and will not in season to send you a translation of it by the dispatch-bag which leaves to-night and goes by the way of England.

I send you also a copy of Colonel Hoffman's letter, marked B, to the Duke de Gramont, in relation to the authorization of our government to extend protection to North German subjects, with the assent of the government of His Majesty the Emperor; also the reply of the Duke de Gramont thereto.

I have, &c.,

E. B. WASHBURNE.

[Inclosures.]

A.

Mr. Washburne to the Duke de Gramont.

LEGATION OF THE UNITED STATES,
Paris, July 21, 1870.

Referring to the letter of Colonel Hoffman, of the 17th instant, to your excellency in relation to putting the subjects of the North German Confederation residing in French territory under the protection of this legation, and the response of your excellency of the following day, giving the entire consent of the French Government thereto, I have the honor to state that quite a number of the citizens of the North German Confederation, finding themselves in Paris at the time of the declaration of war, have applied to me for such protection as will enable them to leave the French territory. I have, therefore, now to apply to your excellency to know whether any certificate in the nature of a visa, given by me to these subjects of the North German Confederation, will be so far respected as to enable them to pass into the neutral territory of Belgium. I have to state that there will be no more than one hundred of these persons, and they are mostly poor men who have been necessarily detained here by reasons over which they had no control, and who are extremely desirous of leaving France.

In this connection I beg leave to observe that I only desire to conform to what is due to the function which I have undertaken in this respect, with the assent of the government of His Majesty the Emperor. While, perhaps, under a strict construction of public law, the government of His Majesty would have the absolute right to treat as enemies of war all of the subjects of the North German Confederation finding themselves in France after the 19th instant, yet under the modern and more humane interpretation given to that right, the government of His Majesty might deem it consistent with its views to permit these men to leave the territory of France within the reasonable time which the text-writers observe has become the usual concession of nations engaged in war.

I will thank you to advise me upon this subject at the earliest convenient moment, so that I can inform these men in regard to their application. If permission be granted, I beg to request that I may be informed of the nature of the certificate to be given by me, which will be respected by the military and civil authorities of His Majesty's government. * * * * * * *

E. B. WASHBURNE.

His Excellency the DUKE DE GRAMONT, *&c., &c.*

B.

Mr. Hoffman to the Duke de Gramont.

LEGATION OF THE UNITED STATES,
Paris, July 17, 1870.

I was requested by the ambassador of the North German Confederation, before his departure from Paris, to take the North German subjects residing in French territory under the protection of this legation. To-day I am in receipt of a telegram from my government authorizing me to do so, provided that it be done with the assent of His Majesty's government. I have the honor to apply for this assent. * *

WICKHAM HOFFMAN.

His Excellency the DUKE DE GRAMONT,
Minister of Foreign Affairs.

The Duke de Gramont to Mr. Hoffman.

[Translation.]

PARIS, *July* 18, 1870.

I have received the letter which you did me the honor to write to me, of yesterday's date, in which you say you have been instructed by the cabinet at Washington to take under your protection the subjects of the North German Confederation residing in France. The government of His Majesty has no objection to your charging yourself with this mission, and I hasten to respond to your desire that we give to you our entire assent. * * * * * * *

GRAMONT.

Mr. WICKHAM HOFFMAN,
Chargé d'Affaires, &c., &c.

No. 5.

Mr. Washburne to Mr. Fish.

[Telegram.—Received July 25, 1870, at 9.30 a. m.]

PARIS, *July* 24, 1870.

FISH, *Washington:*

French Government assents to our protecting North Germans and Saxons. Hesse Grand-Ducale and Saxe-Coburg-Gotha also ask protection.

WASHBURNE.

No. 6.

Mr. Washburne to Mr. Fish.

No. 234.] LEGATION OF THE UNITED STATES,
Paris, July 26, 1870. (Received August 11.)

SIR: I have the honor to transmit herewith a copy of the correspondence relating to the protection of subjects of the King of Saxony residing in France by the Government of the United States, as follows:

First. A translation of a communication from Baron Lüttichau, chargé d'affaires of Saxony, asking that protection may be given;

Second. A copy of my letter to the Duke de Gramont upon the subject; and

Third. A translation of a note from the foreign office, signed H. Desprez, giving the entire assent of the government of the Emperor to the protection assumed by this legation.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.—Translation.]

Baron de Lüttichau to Mr. Washburne.

ROYAL LEGATION OF SAXONY,
Paris, July 20, 1870.

Mr. MINISTER: The government of the King, compelled by events to recall his legation from Paris, earnestly desires permission to place under the protection of the legation of the United States, pending the existence of the war that has been declared, the interests of Saxon subjects in France.

conformity with the orders which I have just received, I have recourse to the great ness of your excellency, and beg you to inform me if you consent to this request of government.

profit by the present occasion to offer to your excellency the assurance, &c., &c.,

DE LÜTTICHAU,
Chargé d'Affaires.

is Excellency Mr. WASHBURNE,
Minister of the United States, Paris.

[Inclosure 2.]

Mr. Washburne to the Duke de Gramont.

LEGATION OF THE UNITED STATES,
Paris, July 20, 1870.

SIR: I am requested by the chargé d'affaires of Saxony near the court of His Majesty Emperor of the French, to take the subjects of Saxony in France under the protec- n of this legation. Having received the assent of my government to take the sub- ts of North Germany under the protection of this legation, I have assumed that it uld give the same protection to the subjects of Saxony, provided it should meet with approval of the government of His Majesty the Emperor.

I will thank you to communicate to me at an early moment the action of His Majesty's vernment in this regard.

I take the present opportunity to renew, &c.,

E. B. WASHBURNE.

His Excellency the DUKE DE GRAMONT,
Minister of Foreign Affairs.

[Inclosure 3.—Translation.]

Mr. Desprez to Mr. Washburne.

PARIS, *July* 21, 1870.

SIR: To respond to your letter which you have done me the honor to write to me nder date of yesterday, I hasten to inform you that the government of the Emperor ives its entire assent to your assuming, during the war, the protection of Saxon citi- ens in France.

Receive the assurance of the high consideration, &c., &c., &c.

For the minister and by his authorization, &c., &c., &c.,

H. DESPREZ.

Mr. WASHBURNE,
Minister of the United States, Paris.

No. 7.

Mr. Washburne to Mr. Fish.

No. 235.] LEGATION OF THE UNITED STATES,
Paris, July 26, 1870. (Received August 11.)

I have the honor to inclose a copy of the correspondence bearing upon the protection afforded by the Government of the United States to the subjects of Hesse Grand-Ducale, resident in France, who, owing to the alliance formed between the Government of the North German Confederation and that of Hesse, have become the enemies of France in the war declared on the 19th of the present month.

The correspondence embraces—

First. A translation of a letter from Count d'Enzenberg, minister resident of Hesse Grand-Ducale at Paris;

Second. A copy of a letter addressed by myself to the Duke de Gramont asking the assent of the government of the Emperor for such protection; and,

Third. The translation of a letter from the Duke de Gramont giving the assent desired.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.—Translation.]

Count d'Enzenberg to Mr. Washburne.

LEGATION OF HESSE GRAND-DUCALE,
Paris, July 23, 1870.

Mr. MINISTER: My government having informed me of the fact of the declaration of war by France against the North German Confederation, of the date of July 19, current, the alliance under the military convention concluded between the two governments of Hesse and the North German Confederation still exists.

In consequence I am instructed to address your excellency without delay, in order to inform you of the desire of my government that you will take all the subjects of Hesse residing in Paris and in France, as well as the archieves of the legation, under the protection of the United States.

I hasten to obey this order, and I beg your excellency to be assured of the high estimate which my government attaches to this protection; and already in advance, and in my own name, I pray your excellency to be pleased to accept my heartfelt thanks as a testimony of courtesy and international good will, and I take this occasion to renew the assurances of the high consideration with which I have the honor to be, M. Minister, your excellency's humble and devoted servant,

ENZENBERG, *Minister Resident.*

His Excellency E. B. WASHBURNE,
Envoy Extraordinary and Minister Plenipotentiary.

[Inclosure 2.]

Mr. Washburne to the Duke de Gramont.

LEGATION OF THE UNITED STATES,
Paris, July 23, 1870.

SIR: The Grand Duke of Hesse Grand-Ducale has directed Count d'Enzenberg, his minister resident near the court of His Majesty, the Emperor of the French, to address himself to me, with the request that the Government of the United States should permit all subjects of Hesse finding themselves in Paris or in France, together with the archives of Hesse Grand-Ducale, to be placed under the protection of the United States. I have to state to your excellency that I shall feel authorized to assume such protection with the assent of the government of His Majesty the Emperor. I would be pleased, therefore, if you would advise me, at your earliest convenience, if such assent will be given.

I take the present opportunity, &c., &c.,

E. B. WASHBURNE.

His Excellency the DUKE DE GRAMONT,
Minister of Foreign Affairs.

[Inclosure 3.—Translation.]

The Duke de Gramont to Mr. Washburne.

PARIS, *July 25, 1870.*

I hasten to inform you, in answer to the letter you did me the honor to write to me on the 22d of this month, that the government of the Emperor gives its entire assent in order that you may assume, during the war, the protection of the subjects of Hesse Grand-Ducale, residing in France.

Receive the assurances of the high consideration with which I have the honor to be, sir, your very humble servant,

GRAMONT.

Mr. WASHBURNE,
Minister of the United States, Paris.

No. 8.

Mr. Washburne to Mr. Fish.

No. 236.] LEGATION OF THE UNITTD STATES,
Paris, July 28, 1870. (Received August 11.)

SIR: I duly received the telegraphic dispatch of Mr. Davis, of the 25th instant, stating that General Sheridan and two staff officers were about leaving the United States on a tour of military observation, and wished to join the French army. I immediately addressed a note to the Duke de Gramont on the subject, a copy of which I send herewith, marked No. 1.

I have this day received the reply of the Duke de Gramont declining to grant the permission asked for in behalf of General Sheridan. I inclose a copy of that reply, marked No. 2.

I have also sent you a telegraphic dispatch, to-day, stating that the French Government declines granting the General the permission asked for.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.]

Mr. Washburne to the Duke de Gramont.

LEGATION OF THE UNITED STATES,
Paris, July 26, 1870.

SIR: I am to-day in receipt of a telegraphic dispatch from my government, informing me that the President has authorized General Sheridan, Lieutenant-General of the Army of the United States, to proceed immediately to Europe on a tour of military observation, and with a view to visit, if permitted, the French army, accompanied by two of his staff officers.

I need scarcely inform your excellency that General Sheridan is one of the most distinguished officers of our late war, and contributed very largely to the suppression of the rebellion.

I should be gratified if His Majesty the Emperor should accord the permission requested by my government in behalf of Lieutenant-General Sheridan and staff.

I take this opportunity, &c., &c., &c.

E. B. WASHBURNE.

His Excellency the DUKE DE GRAMONT, &c., &c., &c.

[Inclosure 2.—Translation.]

The Duke de Gramont to Mr. Washburne.

PARIS, *July* 27, 1870.

Mr. MINISTER: I have received the letter which you have done me the honor to write me, in which, announcing the early arrival in France of General Sheridan, you ask of me permission for him to follow the headquarters of our army.

I find myself, with earnest regret, under the obligation to tell you that it is impossible to do that you ask from me. A recent decision adopted by the Imperial Government absolutely prohibits access of all foreign officers to our army. This rule is applied with great rigor, and admits of no exception. If any one could be admitted, you cannot doubt the exception would be made in favor of the illustrious soldier, whose presence among our officers would have been considered by them a real honor to our army. I dare to hope, Mr. Minister, that you will not misunderstand the meaning of this decision, which it is very painful to us not to be able to depart from in the particular case you have submitted, when it is a question of a general officer who occupies the high position that General Sheridan justly does in the esteem of his fellow-citizens. By this fact you can form a just idea of the importance of the motives which compel us to this determination.

I take this occasion, &c., &.

GRAMONT.

No. 9.

Mr. Washburne to Mr. Fish.

No. 238.] LEGATION OF THE UNITED STATES,
Paris, July 29, 1870. (Received August 11.)

Referring to my dispatch of the 22d instant, numbered 231, and to the reference therein to the question of the departure of the subjects of the North German Confederation from French territory, I now have the honor to send you the continuation of the correspondence on that subject. It consists of—

First. The reply of the Duke de Gramont to my letter of the 21st instant, marked 1, and

Second. My rejoinder to his excellency's letter, dated the 25th instant, and marked 2.

It is difficult for me to determine the precise nature and extent of the functions devolving upon me in virtue of the protection of the subjects of the North German Confederation, which I have assumed by your direction and with the assent of the French Government. I cannot find that any particular rule has been laid down to govern under such circumstances, and I would be thankful if you could make any suggestions in that regard. But it must be presumed that I am to extend my good offices in every proper manner to such of the North German subjects as may call upon me for advice or protection, but guarding myself carefully against any act which might be considered as inconsistent with the neutral position I occupy. In regard, however, to the doctrines submitted by the Duke de Gramont, in his letter to me of the 23d instant, touching the departure of North German subjects from French territory, I considered them as differing so widely from the well-established principles of public law, at least as understood and acted upon in our own country, that I could not give them even an implied assent. Hence my letter to the Duke de Gramont of the 25th instant, to which I have already made reference herein, and which I trust may meet with your approbation.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.—Translation.]

The Duke de Gramont to Mr. Washburne.

PARIS, *July* 23, 1870.

Mr. MINISTER: You have done me the honor to inform me that a large number of persons belonging to the North German Confederation have asked your good offices to enable them to return to their country, passing through Belgian territory, and you are good enough to ask me at the same time if the passports given or signed by you would constitute sufficient evidence to assure security in the journey to these persons.

As you have seen, Mr. Minister, by the notice inserted in the Journal Official of the 20th of this month, the government of the Emperor has decided that German citizens will be at liberty to continue their residence in France, and that they will enjoy the protection of our laws as before the war, as long as their conduct does not give any legitimate cause of complaint. Nothing is altered in the design of His Majesty in this regard.

In regard to that which now concerns the North Germans who desire to leave the territory of the empire in order to return into their own country, the government of the Emperor is disposed to accede to the desires of those individuals who are past the age of active military service, reserving the right to examine each particular case as it is presented. Regarding the national confederates who do not find themselves in this situation, and who would like to leave France to respond to the summons of their gov-

ument which calls them lawfully to return to bear arms against us, the government of e Emperor will not allow their departure. In adopting this line of conduct we have e desire to reconcile, in an equitable degree, the considerations due to respectable pri- ate interests with the legitimate exigencies of a state of war. You will please to ob- rve, sir, that the confederate Prussians, whose departure from our territory we prevent r the moment, can with difficulty invoke in their favor the general principles of the w of nations, or the doctrine of the text-writers on this subject. In fact, the German bjects, whom the decision which I have the honor to inform you of concerns, cannot gally be considered as simply private individuals, nor be assimilated to merchants; ey are incontestably persons bound to military service as soldiers of the active army of the landwehr. Now no rule of international law obliges a belligerent to allow to part from his territory subjects of the enemy, who, from the day of their return to eir own country, will be enrolled in the ranks to take part in the hostilities. I will dd, in conclusion, that except the obstacle put in the way of their departure from rance, the German citizens in question will enjoy the most complete liberty to attend their business, to carry on their commerce, their industries, or their professions; in ther words, they will be precisely on the same footing as those of their compatriots entioned in the official note of the 20th of this month.

Accept the assurances of the high consideration with which I have the honor to be, ir, your very humble and obedient servant.

GRAMONT.

Mr. WASHBURNE,
Minister of the United States.

[Inclosure 2.]

Mr. Washburne to the Duke de Gramont.

LEGATION OF THE UNITED STATES,
Paris, July 25, 1870.

SIR: I have the honor to acknowledge the receipt of your excellency's communication of the 23d, in reply to mine of the 21st, asking information in behalf of North German confederate subjects desiring to quit French territory.

Your excellency's communication seems to assume the probability that more or less of these applicants are desirous of quitting France to answer to the summons of their own government to bear arms against France, under the provisions of the laws of the North German Confederation. Without undertaking to contest the exactness of this assumption, or without undertaking to inform your excellency whether any or what portion of these applicants are to be found outside of the present limits of liability to bear arms in the ranks of the Confederation in case of their return to North Germany, matters upon which I have not particularly informed myself, you will allow me to remark, in loyal fulfillment of the function that has been confided to me in this regard, that I was not prepared to learn that the exception now proposed to be made by the Government of His Majesty to the disadvantage of a portion, perhaps the largest portion, of the applicants would be insisted on, viz, that a liability to perform military service in the home army constitutes a sufficient reason for the refusal of the ordinary privilege of quitting foreign belligerent territory, on the outbreak of a war between that foreign government and the home nation. If the exception stated by your excellency is to constitute a settled principle of international comity, for I at once concede that there is no question of *absolute right*, but only of comity or social civilization, involved in the decision in the case of these applicants, then I beg leave to suggest that the exception becomes the rule, and that the privilege of returning to one's own country at the outbreak of a war becomes a mere nullity; since, of what male subject, of whatever age or of whatever condition of life, may it not be affirmed that at some time or under some circumstances he may be compelled to join the ranks of his country's armies in her defense; say in some sudden or extreme emergency? And is a distinction to be made between those countries which limit the conscription of their soldiers to a very restricted section of their population and those governments which, like Prussia, the United States, and perhaps Switzerland, bring much the larger proportion of their citizens under the reach of the law of military service? Will your excellency allow me respectfully to suggest that, in the limited examination which I have been able to give to this subject, I find the line of exception now suggested to His Majesty's Government to the general concessions usually made in favor of foreign subjects wishing to quit belligerent territory an entirely new one. Even in feudal times, when the liability to do military duty to the sovereign lord or king was held in much greater strictness than at the present day, I do not find that the point was insisted upon of the returning liege being liable to become a hostile soldier. Certainly, under my own govern-

ment, from which perhaps I borrow my prepossessions, the idea of any such distinction seems to have been long since discarded. For as early as 1798, and when hostilities between the United States and France seemed imminent, probably I may say, in reference to the departure of French subjects from United States territory, my own government, by formal statute, declared that subjects of the hostile nation, who might wish to quit the United States on the outbreak of future hostilities, should be allowed "such reasonable time as may be consistent with the public safety, and according to the dictates of humanity and national hospitality," and "for the recovery, disposal, and removal of their goods and effects, and for their departure." (Laws of the United States, vol. 1, page 577.) Thus your excellency will observe that the privilege is granted in the most unrestricted terms, without allusion to a liability to render military aid to an enemy. I need not add that the same principle is incorporated into various subsisting treaties of the United States, and that the highest American authority on public law, Chancellor Kent, considers the principle to have become an established formula of modern public law. This learned publicist, I may perhaps be permitted to add, quotes various continental publicists, including Emerigon and Vattel, as upholding and ratifying the same doctrine. (*Kent's Commentaries*, vol. 1, pp. 56–59.)

I trust that these suggestions of a liberal construction of the rights of departing belligerents will not be deemed inappropriate or untimely on my part, since your excellency does not apprise me that any public notice of the qualified restraints foreshadowed in your communication have yet been definitely made public, and since from that liberal concession in favor of belligerent residents who do not choose to depart, which His Majesty's Government has published, and to which your excellency has alluded, I deduce an anxious desire on the part of that government to conform as much as possible to the mildest interpretation of the hardships of the laws of war.

It only remains for me to say that if His Majesty's Government has definitely decided the question of the privilege of departing subjects of the North German Confederation in the limited sense which your excellency's communication seems to imply, it would relieve me of trouble in the way of answering personal applications, if the French Government should deem it proper to make a public announcement of its determination upon that point, or to advise me by a personal communication. I should also be glad to be informed if my own intervention or agency can be of any avail in enabling His Majesty's officials to judge of the fitness of granting the departure of those particular applicants who may happen to be without the limits of the age of military service in the North German Confederation Army, and as to which you intimate that the French Government reserves to itself the right of judging each case as it shall arise.

I take the present occasion, &c., &c., &c.

E. B. WASHBURNE.

His Excellency the DUKE DE GRAMONT, *&c., &c.*

No. 10.

Mr. Washburne to Mr. Fish

No. 239.] LEGATION OF THE UNITED STATES,
Paris, July 29, 1870. (Received August 11.)

The French Government having notified this legation that the Emperor had decided that the consular agents of the North German Confederation in France must cease to exercise their official functions, and it having advised me that it had instructed the prefects of the different departments that the interests of the subjects of the Confederation, who should continue to reside in France, were, during the war, confided to the consular agents of the United States, I have thought proper to issue a circular to our consular agents, a copy of which I have the honor to inclose. It is issued as an answer to many inquiries on this subject, addressed to me by our consuls.

I have, &c.,

E. B. WASHBURNE.

[Circular.]

LEGATION OF THE UNITED STATES,
Paris, July 28, 1870.

SIR: The legation of the United States in France, acting under the authority of the State Department, and with the assent of the French Government, has taken under its protection all subjects of the North German Confederation residing in French territory. The states of Saxony, Hesse Grand-Ducale, and Saxe-Coburg-Gotha, are included.

The Government of His Majesty the Emperor, in notifying to this legation that the Emperor had decided that the consular agents of the North German Confederation in France must cease to exercise their functions, added it had informed the prefects of the different departments that the interests of the subjects of the Confederation, who should continue to reside in France, were confided, during the war, to the consular agents of the United States.

Under these circumstances Mr. Washburne desires to state, that it will be your duty to give every proper assistance, consistent with the functions with which you have been charged, and the proper discharge of your own duties, to North German subjects.

If the business of any consulate of the North German Confederation should require it, a clerk should be furnished you to perform the clerical duties, under your direction. The form of your signature to any certificate should be as follows:

Le consul des États-Unis d'Amérique, chargé des affaires des sujets de la Confédération de l'Allemagne du Nord à ———

(Signature.)

If you are requested so to do, you will take charge of the archives of the consulate of the North German Confederation, and give the clerk a seat in your office.

As regards passports and visés, the French Government has decided that it will not authorize the departure from French territory of such subjects of the North German Confederation as owe military service to their government.

As to those cases where such liability is alleged not to exist, they will be examined separately, under such regulations as may hereafter be made known. It would not be well, therefore, to give any subject of the North German Confederation any passport, or any certificate in the nature of a visé, until you shall receive some specific instructions in this respect.

WICKHAM HOFFMAN,
Secretary of Legation.

No. 11.

Mr. Washburne to Mr. Fish.

No. 240.] LEGATION OF THE UNITED STATES,
Paris, July 29, 1870. (Received August 11, 1870.)

In addition to what I have said in the various dispatches which go by the bag to-day, I have very little to add. The Emperor left for the army yesterday. I send you his decree conferring on the Empress the title of Regent, which appeared in the Journal Officiel of the 27th instant.

Paris is exceedingly quiet, and there is nothing whatever in the shape of war news.

The English and French journals which you receive at the State Department will advise you fully in regard to all matters connected with the alleged project of a treaty between France and Prussia. This affair has created a great sensation in the diplomatic and other circles of Paris. The note from the Journal Officiel on this subject, which I inclose, renders it evident that a scheme of alliance between France and Prussia was discussed at Berlin, and that some of the ideas contained in the published project were then suggested. This matter has gone so far now that it must be probed to the very bottom. Nothing less than the whole truth will satisfy the public and the nations of the earth.

I have, &c.,

E. B. WASHBURNE

[Inclosure.]

PARIS, *July* 28, 1870.

The Journal Officiel publishes the following important decree:

"Napoleon, by the grace of God and the national will, Emperor of the French, to all whom these presents may concern, greeting:

"Wishing to give to our well-beloved consort, the Empress, a proof of the confidence which we have in her, and having the intention to place ourselves at the head of the army, we have resolved to confer, and do hereby confer, on the Empress the title of Regent, to exercise the functions of that charge as soon as we shall have left our capital in conformity with our instructions and orders, as we shall have given them in the general directions of the service which we shall have established, and which will be transcribed on the book of state. Our intention is to communicate to our ministers the said orders and instructions, and that in no case the Empress can depart from their rigor, in the exercise of her functions of Regent. We desire that the Empress shall preside in our name over the Council of Ministers. We do not, however, intend that the Empress-Regent shall authorize by her signature the promulgation of any law other than those now pending before the senate, the legislative body, and the council of state, referring on that subject to the orders and instructions above mentioned. We order our keeper of the seals, minister of justice and public worship, to communicate the present letters patent to the senate, which will inscribe them on its books, and publish them in the *Bulletin des Lois*.

"Given at the palace of the Tuileries this day of 23d July, 1870.

"NAPOLEON.

(Countersigned) "EMILE OLLIVIER,
"*Minister of Justice.*"

The Journal Officiel publishes an imperial decree declaring the departments of the Moselle, the Haut-Rhin, and the Bas-Rhin to be in a state of siege. A second decree calls into active service the 90,000 men forming the contingent of the class of 1869. A third appoints a committee presided over by the Empress, and consisting of seventeen members, among whom are the ministers of the interior, finance, war, and marine, for distributing the patriotic offerings made, according to the intentions of the donors. A fourth names General of Division Canu to be aid-de-camp to the Emperor.

The Paris journals continue to remark on the draught of the treaty published by the Times, and all, without exception, seem to think that it merits but little attention. The Pays and Peuple Français declared that something of the kind was formerly proposed by Count de Bismarck to the Emperor, but emphatically set aside by the latter. Others of our contemporaries draw attention to the fact that in the wording the name of Prussia comes first, as is always the case with the designation and titles of the proposing party. The Constitutionnel expresses itself as follows:

"The Times, with a rashness of judgment unworthy of so important an organ, affirms that the project of partition was proposed by France to Prussia, and, starting from that assumption, it seeks to excite public opinion in England against the Emperor Napoleon's government. Well, this time, the London newspaper has been badly served by its Prussian inspirers. The veracity of the statesmen of Berlin cannot be depended upon. For a long time they have been accustomed to tread under foot treaties, to deny their acts and their words, if such a course was useful to their designs, to disregard, in a word, all good faith and straightforwardness. The French Government has not to fear the broad daylight, and it does not recoil from any species of disclosure. Let every one know, then, that the projected Franco-Prussian treaty, published by the Times and other organs of Count de Bismarck, really exists; only—and this is the essential point—it is the work of the federal chancellor. Does not every one remember the famous phrase of the Prussian minister, after Sadowa, when a question arose of compensations for France: 'Instead of speaking of equivalents,' he exclaimed, 'she ought to take Belgium!' That expression is the point of departure of the convention by the aid of which M. de Bismarck hoped to purchase the acquiescence of France in the conquest of Prussia. The Emperor's government rejected those offers, which prove that, to the Prussian chancellor, all means were good to obtain a sanction for his policy of violence and iniquity. Public opinion is therefore enlightened on this project; it has had a fresh proof of the count's cynicism, as, at the risk of a categorical denial, he has gone so far as to attribute to France schemes of spoliation conceived by himself. But what does M. de Bismarck care about denials, and what do they cost him? Did he not also dispute the affirmation of the Duke de Gramont that, in March, 1869, Count Benedetti, by order of the imperial government, protested against the Hohenzollern candidature, and that the Prussian ministers then pledged their honor that the affair should not be proceeded with? Well, MM. de Bismarck and de Thile, after having failed in their word of honor, aggravated their fault by a contradiction, of which we immediately pointed out the ambiguous character. The new circular of the minister for foreign affairs completely confounds the Berlin cabinet. Doubt is no longer possible when one has read the dispatch of M. Benedetti, dated the 31st March, 1869; at that period Count

de Bismarck had already conceived the project the realization of which has been prevented by the manly energy of the Duke de Gramont. The document lately issued by the minister of foreign affairs proves also that in the phase of negotiations which preceded the declaration of war, frankness and correct proceedings were on the side of the imperial government, and that subterfuges and perfidy were on that of Prussia."

The Journal Officiel gives the subjoined explanation:

"The Times publishes a pretended treaty between France and Prussia, having for object to facilitate the annexation to France of Luxembourg and Belgium, on condition that she should not oppose the union of the states of Southern Germany with the Northern Confederation. After the treaty of Prague some negotiations did certainly take place at Berlin between Count de Bismarck and the French embassy on the subject of a proposed alliance. Some of the ideas contained in the document inserted by the Times were mooted, but the French Government never had any knowledge of a plan drawn up in writing, and as to the proposals which may have formed the subject of conversation in those interviews they were rejected by the Emperor Napoleon. No one will fail to see in what interest and with what object efforts are being made to mislead public opinion in England."

No. 12.

Mr. Washburne to Mr. Fish.

No. 242.]

LEGATION OF THE UNITED STATES,
Paris, July 29, 1870. (Received August 11, 1870.)

SIR: I have just learned, what may be a matter of some interest to you, that the subjects of Bavaria, Würtemberg, and Baden have been put under the protection of the Swiss minister, Mr. Kern, during the war between France and Prussia.

I have, &c.,

E. B. WASHBURNE.

No. 13.

Mr. Washburne to Mr. Bancroft.

LEGATION OF THE UNITED STATES,
Paris, August 2, 1870.

MY DEAR MR. BANCROFT: I have this morning received yours of the 27th ultimo.

It was a kind and thoughtful suggestion of the German Government, and I am obliged for the friendly message.

I am glad that you properly appreciated what would be my views on the subject. The functions that I have assumed will devolve much labor on the legation, and some additional assistance will be required, but I should as soon think of permitting my guest to pay for his dinner as to permit the German Government to be at any expense whatever in regard to this whole matter. I am certain that the feelings of both of us will be fully shared by our government. In looking after that matter referred to by you in your cipher dispatch, I have this moment learned that a concern at Liege has an order for 20,000,000 cartridges to go to Peru, it being alleged that "the order came through Mr. Washburne, the American minister at Paris." It is evident that there is something foul going on, and I shall probe the matter to the bottom.

This information is confided to me *confidentially*. I shall keep you fully advised of all proper matters.

Yours, very truly,

E. B. WASHBURNE.

Hon. GEORGE BANCROFT.

No. 14.

Mr. Washburne to Mr. Fish.

No. 244.] LEGATION OF THE UNITED STATES,
Paris, August 4, 1870.

SIR: Mr. Bancroft wrote me from Berlin, under date of the 27th ultimo, stating that, as the protection of German citizens in France would give much trouble, the German Government had sent for him on that day, and requested him to say to me that, as my own force in the legation would hardly be sufficient to attend to all the details of the business with which I would be charged, if I would employ one or more clerks the government of the North German Confederation would bear the expense. In transmitting this friendly message to me Mr. Bancroft said he could not doubt what would be my judgment in this matter; that, while I might employ the additional force necessary, he thought our government would not wish to have the German Government defray any of the expenses which might be incurred in that direction. Germany having asked our hospitality, I replied to Mr. Bancroft that I fully shared his views on this subject, as I had no doubt our government would. I stated to him that, while the functions I had assumed would involve much labor on the legation, and that some additional assistance would be required, I should as soon think of permitting my guest to pay for his dinner as to allow the German Government to be at any expense whatever in regard to matters connected with the protection by our government of its subjects in France.

I desire to state that I have had to employ an additional messenger, for the reason that the regular one has to be absent from the office much of the time, and the legation is thronged from morning to night. I have also been obliged to engage the services of a Prussian who was a clerk in the North German consulate in Paris, for it was necessary that I should have some man who not only spoke the German language, but who was somewhat familiar with the wishes and desires of the numbers of Prussian subjects who are constantly calling upon me for advice and assistance. I trust that my action in this regard may meet with your approval.

I have, &c.,

E. B. WASHBURNE.

No. 15.

Mr. Washburne to Mr. Fish.

No. 246.] LEGATION OF THE UNITED STATES,
Paris, August 5, 1870.

SIR: Since my dispatches by the bag of a week ago, no events have transpired here of which you have not had quite full accounts through the public journals, since the restrictions have been put on the press in France. I think it will turn out that you will have fuller information every day in Washington in regard to the military operations of both sides than we have here. American journalism carries its enterprise everywhere, and news will be transmitted to the United States which cannot be made public in France. I need not allude to the recent taking of Saarbruck by the French, as you will have had full accounts of it

before this time, and from which you will be able to judge of the degree of importance to be attached to it.

The past week has been an interesting one, growing out of the extraordinary agitations which have prevailed over all Europe.

The great subject of discussion here has been in regard to the probabilities of the other powers of Europe being drawn into the vortex of this war. Our representatives to the different powers in Europe will have kept you advised in relation to the sentiments and feeling in the countries to which they are accredited, and I consider it useless for me to speculate on future events, involved, as they are, in so much doubt and uncertainty. It is the opinion of many of the most intelligent and best-informed men that it will be impossible to localize the conflict already inaugurated, and that we are on the eve of a grand European war, England and Russia joining Prussia, while Austria, Italy, and Denmark will unite with France. I am not myself prepared to make any predictions in that regard, and do not now anticipate any great battle for some time to come, though one may occur any day, and in the mean time I believe that the powers not already involved will be strengthened in their purposes to maintain their neutrality.

I have, &c.,

E. B. WASHBURNE.

No. 16.

Mr. Washburne to Mr. Fish.

No. 248.] LEGATION OF THE UNITED STATES,
Paris, August 5, 1870. (Received August 17, 1870.)

SIR: I have the honor to transmit herewith a printed copy of a dispatch addressed by his excellency the Duke de Gramont, minister of foreign affairs, to the diplomatic agents of France at foreign courts, on the subject of the treaty said to have been proposed by the Emperor of the French to the Government of the North German Confederacy. It is taken from the columns of Galignani of this day.

I have, &c.

E. B. WASHBURNE.

[Inclosure.—Translation.]

The Duke de Gramont to the diplomatic agents of France.

PARIS, *August* 3.

MONSIEUR: We are at present acquainted with the full explanation of the telegram addressed by Count de Bismarck to the Prussian ambassador at London, to announce to England the pretended secrets of which the federal chancellor stated himself to be the depositary. His communication adds no essential fact to those which he had advanced. We find in it only a few additional improbabilities. We shall not reply to them, for public opinion has already treated as they deserved assertions which do not gain any authority from the audacity with which they are repeated, and we consider as definitively established, in spite of all contradiction, the fact that the Emperor Napoleon never proposed to Prussia a treaty for taking possession of Belgium. That idea belongs to M. de Bismarck; it was one of the expedients of that unscrupulous policy which, we hope, is approaching its termination.

I should therefore abstain from reverting to statements, the falsity of which is now manifest, had not the author of the Prussian dispatch, with a want of tact which I remark for the first time to such a degree in a diplomatic document, spoken of relatives of the Emperor as bearers of compromising messages and confidences. Whatever may

be the repugnance with which I see myself forced, in order to follow the Prussian minister, to enter on a path contrary to my habits, I overcome that sentiment because my duty requires me to repel the perfidious insinuations which, directed against the members of the imperial family, are evidently intended to reach the Emperor himself.

It was at Berlin that M. de Bismarck, taking the initiative of the ideas which he now wishes to attribute to us, addressed in the following terms the French prince, whom, in spite of all propriety, he at present drags into the controversy:

"You seek," he said, "what is impossible; you wish to take the Rhenish provinces, which are German. Why not annex Belgium, where a people exists which has the same origin, the same religion, and the same language as yourselves? I have already suggested the idea to the Emperor; if he entertained my views, we would aid you to take that state. As for myself, if I was master, and was not hampered by the King's obstinacy, it would have been already done."

Those words of the Prussian chancellor were, so to say, repeated literally to the court of France by Count de Goltz. That ambassador so little attempted concealment that the number of witnesses who heard him is considerable. I may add that, at the period of the Universal Exhibition, the overtures of Prussia were known to several high personages, who took note of them, and still remember them. Besides, this was not a mere passing idea with the count, but a well-concerted project, to which his ambitious plans were attached; and he pursued its execution with a perseverance thoroughly proved by his numerous excursions to France, either to Biarritz or elsewhere. He failed before the unshakable determination of the Emperor, who always refused to join in a policy unworthy of his integrity.

I now leave this subject, which I have touched on for the last time, with the firm intention of not again reverting to it; and I come to the point, really new, in Count de Bismarck's dispatch:

"I have, beside, reason to believe," he says, "that had the publication in question not taken place, so soon as our and the French preparations for war were complete, propositions would have been made to us by France jointly, and at the head of a million armed men, to carry out against unarmed Europe the proposals formerly made to us, and either before or after the first battle to conclude peace on the basis of the Benedetti proposals, and at the expense of Belgium."

The Emperor's government cannot tolerate such an assertion. In the face of Europe, his Majesty's ministers defy M. de Bismarck to bring forward any fact whatever which could lead to the supposition they have manifested, directly or indirectly, by official channels or through secret agents, the intention to unite with Prussia to accomplish with her on Belgium the violence consummated on Hanover.

We have not opened any negotiations with the Prussian minister, either on the subject of Belgium or on any other matter. Far from seeking war, as we have been accused of doing, we begged Lord Clarendon to intervene with the federal chancellor to procure a reciprocal disarmament, an important mission with which his lordship, through friendship for France and devotedness to ideas of peace, consented to undertake confidentially. The following are the terms in which Count Daru, in a letter of the 1st February, explained the intentions of the government to the Marquis de la Valette, our ambassador at London:

"It is certain that I shall not mix myself up in this affair, and that I should not ask England to do so, if the question was purely and simply an ordinary proceeding and one of pure form, made simply to furnish M. de Bismarck with an occasion to express once more his refusal. The overture which we make is decided, serious, and positive.

"The principal secretary of state seems to expect from Count de Bismarck a first movement of displeasure and ill humor. That is possible, but not certain. In that provision we shall perhaps do well to prepare the ground so as to avoid a negative reply from the commencement.

"I am convinced that time and reflection will lead the chancellor to take into serious consideration the proposal of England; should he not at once reject all overtures, the interests of Prussia and of the whole of Germany will not be sufficient to moderate his resistance. He would not wish to excite against him public opinion throughout his country. What, in fact, would be his position if we deprived him of the only pretext behind which he can take refuge, by disarming?"

Count de Bismarck replied first that he could not take on himself to inform the King of the suggestions of the British Government, and that he was sufficiently acquainted with the views of his sovereign to know what the impressions of William I would be. The King, he said, would certainly consider such a step on the part of the cabinet of London as the proof of a change in the dispositions of England toward Prussia. In fine, the federal chancellor declared that "it was impossible for Prussia to modify a military system so deeply rooted in the traditions of the country, which formed one of the bases of its constitution, and which was quite normal."

Count Daru did not accept that reply as definitive, and on the 13th February wrote to the Marquis de la Valette as follows:

"I hope that Lord Clarendon will not take that answer as final and will not be dis-

aged. We will shortly give him an opportunity of returning to the charge, if he isposed to do so, and to take up the conversation which has been interrupted with federal chancellor. Our intention is, in fact, to diminish our contingent; we should e reduced it considerably if we had obtained a favorable reply from Count de Bis- rck; we shall decrease it less, as his answer is negative, but we shall nevertheless inish it. The reduction I shall propose will be 10,000 men.

We shall thus be affirming by acts, which are always better than words, our inten- ns and our policy. Nine contingents, each reduced by 10,000 will make a total dim- ution of 90,000. That is already something; it is a tenth of our present force, and I rret that I am not able to do more. The bill on the contingent will be brought for- rd immediately. Lord Clarendon will then have to consider whether there will be advisability of representing to Count de Bismarck that the Prussian Government is lone in Europe in not making any concession to the spirit of peace, and that it is thus placing itself in a grave situation in the midst of European society, because it is furnishing arms against itself to every one, including the populations crushed beneath the burden of the military charges it imposes on them."

Count de Bismarck, being closely pressed, thought necessary to enter into some fresh explanations with Lord Clarendon.

Those explanations, as we are acquainted with them by a letter of the Marquis de la Valette, dated the 23d February, were full of reticences. The chancellor of the Prussian Confederation, reconsidering his first resolution, had communicated to King William the proposal of England, but his Majesty had declined it. In support of that refusal the chancellor alleged the fear of an eventual alliance between Austria and the States of Southern Germany, and the ideas of aggrandizement which France might have. But he especially put forward the anxiety with which he said he was filled by the policy of Russia, and entered on that subject into private considerations on the court of St. Petersburg, which I prefer to pass over in silence, not wishing to repeat offensive insinuations. Such are the motives of refusal which Count de Bismarck opposed to the frank and conscientious entreaties repeatedly renewed by Lord Clarendon at the request of the Emperor's government.

If, therefore, Europe has remained in arms; if a million of men are about to come into collision on fields of battle, the fact can no longer be contested that the responsibility for such a state of things rests with Prussia; for she rejected all ideas of disarming when we made the proposal to her, and when we commenced by giving an example. Is not that conduct besides explained by the fact that at the same moment in which confiding France was diminishing her contingent, the cabinet of Berlin was organizing in secret the provocatory candidateship of a Prussian prince? Whatever may be the calumnies invented by the federal chancellor, we have no fear; he has lost the right of being believed. The public conscience of Europe and history will say that Prussia sought for the present war by inflicting on France, preoccupied by the development of her political institutions, the outrage which no proud and courageous people could have submitted to without deserving the contempt of the nations.

GRAMONT.

No. 17.

Mr. Washburne to Mr. Fish.

No. 249.] LEGATION OF THE UNITED STATES,
Paris, August 8, 1870. (Received August 24, 1870.)

SIR: In my dispatch of Friday last, August 5, No. 246, I ventured the prediction that there would be no great battle immediately, though qualifying it in parentheses, that such a battle might occur any day. When writing that dispatch on Friday forenoon little did I suppose that there had been a very serious fight on the day before at Weissenbourg, on the French frontier, which had resulted in a practical defeat of the French army. Although the London Times of that (Friday) morning contained a dispatch from Berlin, giving an account of the battle, yet the French public were kept in utter ignorance of it until between twelve and one o'clock of that day, when a very brief notice of the affair was communicated to the press by the French authorities. The suppression of the intelligence for so long a time excited a good deal of indignation among the public, and the Parisian newspapers are particularly indignant that

the London Times should have published the news six or eight hours before it was given to them. Things, however, passed on quietly enough until about noon on Saturday, when, as the report goes, a man in the uniform of a courier, or messenger, rode up to the front of the Bourse, where a large crowd had already assembled, and delivered into the hands of a person, who was evidently his confederate, what purported to be an official dispatch, and which gave an account of a great battle having been fought, in which the French had been victorious, taken forty guns, twenty-five thousand prisoners, among whom was included the Crown Prince. A spark of fire falling upon a magazine would hardly have produced a greater explosion. The assembled multitude broke out into the wildest shouts and the contents of the dispatch were repeated from mouth to mouth, and men ran in every direction communicating the joyful intelligence. The people rushed into the streets: flags were everywhere displayed, men embraced and kissed each other, shedding tears of joy. Shouts, vociferations, and oaths filled the air and probably such a delirium was never before witnessed. Rue Richelieu, the Boulevards Montmartre and Italiens, and the Rue de la Paix were filled with people singing the Marseillaise. Everybody declared that the news was true; they had seen the official report; there could be no doubt of its correctness. Madame Sass, a distinguished opera singer, was found in the street and the crowd insisted upon her singing the Marseillaise from her carriage, which she sang three times amid transports of enthusiasm. In another part of the street the multitude forced another distinguished singer to mount to the top of an omnibus, also to sing the Marseillaise. After the first furore of the enthusiasm had subsided some persons began to suggest that it would be well to inquire a little further into the news, and of course the result was that it proved to be a stupendous hoax. The songs at once ceased, the flags were taken in, and the victims of the canard began to feel indignant. As it originated at the Bourse, the cry was raised in the crowd "a la Bourse," and away the people went, breathing vengeance against the money-changers and speculators who, it is alleged, had taken advantage of the false report to get the benefit of a rise of about four per cent. in the stocks. Never were money-changers more summarily driven out of their temple. In a few moments all persons in the Bourse were expelled, some of whom, it is said, were thrown head and heels out of the windows and doors. In a short time, however, about half-past three o'clock, the crowd left there, greatly exasperated at having been made victims of so cruel a hoax, and directed themselves towards Place Vendome, halting under the windows of the minister of justice. There they shouted for Emile Ollivier and demanded of him the closing of the Bourse from which the false news had emanated. M. Ollivier responded in a short and well-turned speech, closing by asking them to disperse, which they did.

At about five o'clock in the afternoon a group of persons, numbering about three thousand, gathered in front of the ministry of justice and again demanded that M. Ollivier should show himself and make another speech, but the minister refused to do so a second time. The vociferations then increased every instant and hostile cries were raised against the minister by the multitude, who demanded the name of the author of the false news, and reclaimed the liberty of the press. Passing myself through Place Vendome at half past five o'clock, I saw this turbulent crowd in front of the ministry and stopped to ascertain the cause of it. Soon M. Ollivier made his appearance at the window and commenced a speech, but the tumult, "noise and confusion," was so great that I could understand but very little from the position where I stood. It was evi-

ntly not very satisfactory, for the people did not disperse immediately, he had requested, but began shouting in favor of the liberty of the ess and raising hostile cries against M. Ollivier. The public hold him sponsible for the terrible severity of the press law which prevents em from getting any news from the army. It requires everything to me through official channels, and is given out at such times and in ich measure as may suit the purposes of government.

In the evening of Saturday, Colonel Moore, of this legation, went own town to watch the progress of events. At 10 o'clock he found lace Vendôme literally crammed with both men and women, who were the highest state of excitement, singing a new song called the "Press ong," and raising menacing cries against the minister of justice. Afterard, large crowds of people collected in Rue de la Paix, on the Bouleards, and in the Place de la Madeleine, all singing and shouting, eviently in very bad temper. They were, however, restrained from vioence by large bodies of troops, who appeared in different parts of the ity, and I can hear of no acts of actual violence having been perpetrated.

The official journal of yesterday (Sunday) contains a dispatch of two ines, dated at Metz, at 11 o'clock the evening before; it simply says: 'The corps of General Frossard is in retreat. There are no details." That was enough to inspire the greatest uneasiness and anxiety. The lispatch gave no indication of where the battle was fought, or what vas the extent of the losses, while the great Paris public was tormented with fear and suspense. A proclamation of the Empress and the ministry appeared at noon in the second edition of the official journal. This proclamation contained a bulletin from the Emperor, dated at Metz, at half past 12 o'clock Sunday a. m., announcing that Marshal McMahon had lost a battle, and that General Frossard had been obliged to retreat. Another bulletin from the Emperor, dated at Metz three hours later, announced that his communications with Marshal McMahon were interrupted, and that he had no news of him since the day before; and still another, one hour later, from headquarters at Metz, both of which were also contained in the proclamation to the minister of the interior, gave a very brief account of the battles of McMahon and Frossard, but said that details were wanting. It further stated that the troops were full of *élan*, and that the situation was not compromised, but that the enemy was on French territory, and a serious effort was necessary. Thereupon, the proclamation went on to say that in the presence of the grave news, the duty was clear, and that an appeal was made to the patriotism and energy of all; that therefore:

"The chambers are convoked; we will place Paris in a state of defense; to facilitate the execution of military preparation, we declare it in a state of siege."

A decree of the Empress Regent convokes the Senate and the Corps Législatif for Thursday, the 11th of August. Another decree by Her Majesty places the department of Seine in a state of siege. I immediately telegraphed you as follows:

PARIS, *7th August*, 1870—4 p. m.

General Frossard's corps beaten. Marshal McMahon defeated. His communication with Emperor cut off. Paris declared in a state of siege. Legislative bodies convoked for 11th August.

It is difficult to convey to you any adequate idea of the state of feeling which this extraordinary news from the battle-field, to which was added the declaration of the siege of Paris and the convocation of the Corps Législatif, has created. Paris has hardly ever seen such a day since the time of the first revolution. The whole people seem

paralyzed by the terrible events which have burst upon them in such rapid and fearful succession. The rain that was falling yesterday may have some influence in keeping the people from the streets, but on going down town in the afternoon I found people collected in knots about the Grand Hotel and on the Boulevards, reading the newspapers, and discussing the situation. Afterward, I saw large crowds proceeding in the rain toward the ministry of justice, in Place Vendôme, which seems to be the objective point, owing to the hostility which appears to exist againt M. Ollivier.

By a decree in the official journal of this morning, the time for the meeting of the legislative bodies is changed, and they are to meet to-morrow.

I have, &c.,

E. B. WASHBURNE.

No. 18.

Mr. Washburne to Mr. Bancroft.

LEGATION OF THE UNITED STATES,
Paris, August 10, 1870.

MY DEAR COLLEAGUE: I have already in two instances (and may do so in more, if not advised by you to the contrary), given a sort of passport or request to the civil and military authorities of North Germany that they might permit the parties named to enter German territory to look after wounded relatives. I do not know what rule that government will adopt in such cases, or whether it will permit Frenchmen, under any circumstances, to enter their territory; but if they should in such cases as I have referred to, the papers I give will be the identification of the individual.

I would be glad to be instructed at the earliest moment as to this matter, for I may have many such applications. Concessions of this kind to citizens of the French Government may perhaps aid me in my very difficult and trying task of protecting German subjects here in France.

I am, in great haste, very truly, yours, &c.,

E. B. WASHBURNE.

Hon. GEO. BANCROFT, *&c., &c., &c.*

P. S.—I am literally overrun; but I am doing all in my power to fulfill my mission in a loyal and proper manner to the fullest extent allowed me by the French Government.

E. B. W.

No. 19.

Mr. Washburne to Mr. Fish.

No. 250.] LEGATION OF THE UNITED STATES,
Paris, August 11, 1870. (Received August 23.)

SIR: Colonel Hoffman says that upon an examination of the question, General Dix, while minister, had considered himself obliged to give a

kind of qualified passport to foreigners, who exhibited to him a proper evidence that they had declared their intention of becoming citizens of the United States; and he also says he once saw such a passport from the Department of State. He had, therefore, been in the habit of giving passports in the ordinary form to such foreigners, except that they did not state that they were citizens of the United States, but only that they had declared their "intention of becoming citizens of the United States." Since the breaking out of the war, however, I examined the question for myself, and I could not find anything either in the law or in the last instructions of the State Department that would warrant the issuing of a passport to any other than a full citizen of the United States; but so many persons were applying to me for some sort of a passport who had only made their declaration of intention, that I thought fit to ask instructions on the subject from you by telegraph. I have duly received the reply of Mr. Davis, which is in accord with my own views; and I shall henceforth permit no passport to be issued except to a full citizen of the United States.

I send you herewith a copy of the passport used at this legation, showing the phraseology used by Colonel Hoffman in the passports he has given to persons who have applied as having declared their intention. But three of these have been issued since the commencement of the war.

I have, &c.,

E. B. WASHBURNE.

No. 20.

Mr. Washburne to Mr. Fish.

No. 251.] LEGATION OF THE UNITED STATES,
Paris August 11, 1870. (Received August 23.)

SIR: I have the honor to send you herewith a copy of a letter I addressed to the Duke de Gramont, together with the translation of his reply. The correspondence explains itself.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.]

Mr. Washburne to the Duke de Gramont.

LEGATION OF THE UNITED STATES,
Paris, July 30, 1870.

SIR: In view of the fact that I have been charged with the protection of the subjects of the North German Confederation, Saxe-Coburg-Gotha, and Hesse-Grand-Ducale, residents in France, certain of those subjects have called upon me and expressed a wish to have some kind of a certificate from me, which they think will be a protection. I can see no objection to my giving them a proper certificate of this character; but before doing so, I beg to submit for the approval of your excellency a form that I have prepared, and which I send herewith.

I take the present opportunity, &c., &c.,

E. B. WASHBURNE.

His Excellency the DUKE DE GRAMONT,
Minister of Foreign Affairs.

[Inclosure 2.]

The Duke de Gramont to Mr. Washburne.

[Translation.]

PARIS, *August* 5, 1870.

SIR: You did me the honor to inform me on the 30th ultimo that a considerable number of German subjects, placed under the semi-official protection of the legation of the United States at Paris, had expressed to you the desire of obtaining from you a sort of certificate, to which they seemed to attach a certain importance as regards their security. You deemed it proper at the same time to forward a draught of this document to me, to be submitted for the approval of my department.

I cannot understand, sir, the utility of such a certificate, the possession of which you will readily perceive, will add in no respect to the security of the German subjects to whom it may be granted, provided their conduct gives no cause for complaint, and which would have no effect in protecting them against the consequences to which they would be exposed by culpable actions. With this reservation, I will add that, in case you should not judge it desirable to refuse a certificate to those Germans who may claim it, I have no objection to make to the form in which you propose to draw it. I am, moreover, this moment in receipt of a notice from the minister of the interior, that all Germans resident in France are required to provide themselves, from competent French authorities, with a permission to remain. This police regulation appears to me to render all the more unnecessary the delivery of a certificate by the legation of the United States.

Accept, sir, the assurances, &c., &c.,

GRAMONT.

MR. WASHBURNE,
Minister of the United States.

No. 21.

Mr. Washburne to Mr. Fish.

[Telegram.]

PARIS, *August* 12, 1870.

FISH, *Washington:*

French Government decides North Germans, with certain exceptions, quit France. Advise Prussian Government and instruct me. Impossible for great numbers of poor to leave without pecuniary aid.

Will Prussian Government place a credit at my disposition to assist poor in leaving? It seems necessary in the interest of humanity.

WASHBURNE.

No. 22.

Mr. Washburne to Mr. Fish.

No. 252.] LEGATION OF THE UNITED STATES,
Paris, August 12, 1870. (Received August 23.)

SIR: I had the honor to write you a brief unofficial letter to go by open mail on Tuesday last, giving you a hurried account of the opening of the Corps Législatif on that day. I now send you a more particular and extended statement of the proceedings at that remarkable sitting.

The president took his seat at half past 1 o'clock p. m., and at the appointed time the members came rapidly into the hall. The ministers also came in and took their places on the ministerial benches. I believe they were all present except General Le Bœuf, the minister of war, who is in the field.

As this session of the Corps Législatif was one of the most extraordinary which has been held since the revolution of 1848, if not since the first revolution, I will endeavor to give you some idea of it. I went at an early hour in order to get a good seat in the diplomatic tribune, and saw and heard all that took place. The Corps Législatif may be said generally to be composed of men of more than ordinary ability, most of whom have become somewhat distinguished in one way or another.

As a body, it is composed of older men than the members of our House of Representatives, and the number of deputies is about the same as we have in our House. Its political divisions are the "Right," the "Center," and the "Left"; but some go still further and class the parties not only as the Right, Center, and Left, but add the "Center Right" and "Center Left" and the "Extreme Left." The prominent deputies of the Extreme Right are Forcade, Pinard, Duvernois, Cassagnac, Jerome David, all men of ability, with more or less parliamentary experience and able speakers. In the Center Left there is a large number of men of fair ability and high character, men like Daru, Buffet, Mége, Chevandier de Valdrome, and Talhoüet. M. Ollivier is classed with the Center Left, and is the only orator of any distinction that appertains to that division. The real ability, the dash, the boldness, and the eloquence appertains to the Left. Many of these men have the qualities which were attributed to the Girondists and the Mountain in the National Convention. * * *

I now proceed to give you an account of what took place at the opening session on Tuesday last. As the deputies filed rapidly into the hall the members of the Right and Center generally quietly took their seats, but there was great agitation among the members of the Left.

The president having declared the session opened, he had only read the formal part of the proclamation convening the legislative bodies, reciting, "By the grace of God and the national will, Emperor of the French," when many members of the Left broke out in furious exclamations, saying that they did not want any more of that, and it was sometime before the president could finish reading the document. After he had concluded he awarded the floor to Emile Ollivier, minister of justice, who mounted the tribune and commenced developing the reasons why the chamber was called together. He had only said a few words, when he was met with the most boisterous and insulting interruptions. A member of the Left having cried out that the country had been compromised, Jules Favre exclaimed, "Yes; by the imbecility of its chief! Come down from the tribune! It is a shame!" Arago cried out that the public safety required that the ministers should get out of the way. Pelletan says: "You have lost the country, but it will save itself in spite of you!"

At length Ollivier was able to conclude his speech, which he read from a written manuscript. The floor was then given to General De Jean, the minister of war *ad interim*, who proposed a law and stated the reasons therefor. Jules Favre then obtained the floor and proposed resolutions in relation to the defense of the country, looking to the reorganization of the national guard. He mounted the tribune to speak to his resolutions. Rising to the highest point of eloquence, he denounced in unmeasured terms the weakness, mismanagement, and folly of the ministers, and the wretched manner in which the army had been commanded. He said that it was necessary that the Emperor should abandon headquarters and return to Paris, and that in order to save the country the chambers should take all powers into its hands. He then proposed a decree providing for an executive committee of fif-

teen deputies, who should be invested with the full powers of government to repel foreign invasion. This proposition was received with yells of denunciation by the Right, who denounced it as revolutionary and unconstitutional, and the president so decided.

After Mr. Jules Favre had concluded, Granier de Cassagnac, a member of the Extreme Right * * * * rushed to the tribune and his first words were to denounce the proposition of Favre, as the commencement of revolution. He proceeded in a strain of bitter denunciation, amid the shouts, vociferations, and gestures of almost the entire Left. He accused them of hiding behind their privileges to destroy the government of the Emperor, who was in the face of the enemy. Here came interruptions, calls to order, and threats. Thirty members of the Left were on their feet, yelling at Cassagnac and shaking their fists toward him, and he answered by shaking his fist at them, and, all of this time the members of the Right were applauding Cassagnac, who finally wound up with the terrible threat that if he were a minister he would send the members of the Left to a military tribunal before night. This was followed by one of the most terrific explosions ever witnessed in a legislative body. All of the deputies of the Left jumped to their feet and raised their voices in most indignant protest. And then rose up the deputies of the Right to drown the cries of the Left with their own vociferations. Jules Simon descended into the area in front of the tribune, gesticulating with vehemence, saying if they dared to send them to a council of war they were ready to go; that if they wanted to shoot them they would find them ready. This added to the tumult. Nearly all the members were on their feet. The voice of Simon was heard above the din, "If you want violence, you shall have it." At this moment Estancelin, under great excitement, cried out, "The minister of foreign affairs laughs." Jules Ferry was heard in the uproar to say that it was not proper "for a minister who was attempting to negotiate a peace, to" ——, and here his voice was lost in the tumult. Nearly the entire Left then started from their places and rushed to the area in front of the tribune, and up to the seats of the ministers; Estancelin, Ferry, and old Garnier Pages in front. They shook their fists directly in the face of the minister of foreign affairs, the Duke de Gramont, who sat fixed without moving a muscle. Here the tumult reached its height. A hundred men were screaming at the top of their voices, and the president rang his bell furiously, but all to no effect. And then, as a signal that he had lost all control of the assembly and as a flag of distress, he covered himself by putting on his hat. The *huissiers* then rushed in and separated the contending parties, and, some minutes after, comparative quiet was restored. The debate continued for some time, but amid the greatest excitement. Finally, after a session of two hours, when all sides seemed wearied by the contest, the chamber took a recess until five o'clock.

The first action of the chamber after it reassembled was a proposition, substantially expressing a want of confidence in the ministry, and the question was carried and fully disposed of in less time than it takes me to write about it, and the ministry all at once found themselves practically out of office, not more than a dozen members rising in their favor. They asked leave to retire for consultation, and in a few moments brought in their resignations, with a statement that the Empress Regent had directed the Count Palikao to form a new ministry. The chamber then adjourned amidst intense excitement. During all of the session the building in which it was held was surrounded by troops to keep

way the crowd that had assembled on the Pont de la Concorde, at the Place de la Concorde, and along the quays.

In leaving the chamber I had occasion to go to the foreign office. I found there the gates all closed and a regiment of infantry quartered in the court. I returned to the legation and sent you a telegraphic dispatch in regard to the doings of the Corps Législatif, and the resignation of the ministry. In another dispatch, which I shall have the honor to address you to-day, I will give you the names of the new ministry, a portion of which I telegraphed on Wednesday.

I have, &c.,

E. B. WASHBURNE.

No. 23.

Mr. Washburne to Mr. Fish.

No. 253.] LEGATION OF THE UNITED STATES,
Paris, August 12, 1870. (Received August 23.)

SIR: In view of the threatened, and, in some cases, the actual, maltreatment of the subjects of the powers now at war with France, I have been concerting measures with Mr. Kern, the Swiss minister, who is charged with the protection of the subjects of Bavaria and Baden, and with Mr. Okouneff, the Russian chargé d'affaires, who is charged with the protection of the subjects of Würtemburg, to secure from the French Government that treatment and protection to such of those subjects as find themselves in France at this moment as is due under such circumstances to all subjects of a belligerent power. There are a great many threats, and occasional instances of violence, enough to inspire great terror among the Germans, who are coming in crowds to the legation. In all cases where they are pursued by threats or violence I promise them the protection of the American flag. The recent French defeats have served to imbitter still more the feelings of the French against the Germans.

The Figaro of the 9th instant, one of the most widely circulated journals of Paris, contained an article demanding the immediate expulsion of all Germans from Paris. It proposed that all Germans who were able to pay their passage should be embarked at Havre in twenty-four hours, and that all those who had not the means of leaving should be put under lock and key, a proposition at once savage and disgraceful. That article, which was so well calculated to inspire terror, was brought to me at noon on the 9th instant. It was the day of the meeting of the Corps Législatif, and I immediately repaired thither, with the expectation of meeting my colleagues, Messrs. Kern and Okouneff, and to confer with them as to what we should do. I met them both in the diplomatic tribune, but before we left there we saw the ministry displaced and that everything was in confusion. In the state of things that existed my colleagues thought it would be impossible to see any member of the government that night, and that we should have to postpone action till the next morning. I went myself, however, to the foreign office and saw the Count Faverney, the chief of the bureau, and explained to him the situation of things, and asked that the French government should take immediate steps to secure protection to the subjects of those powers who had been placed under my protection with the assent of the government of His Majesty. He said the ministry had gone out and

that it was almost impossible to have anything done that night; but, upon my suggestion, he said he would see the prefect of police on the subject.

This whole matter having assumed a still graver aspect, my colleagues and myself called yesterday afternoon upon M. Chevereau, the new minister of the interior, to make our representations and see what the French Government proposed to do in the premises. Mr. C. was just going to the chamber, and it was impossible for him to give us an audience; but he fixed ten o'clock this morning as the time at which he would see us at the ministry of the interior. On repairing thither we found he had been called away to a meeting of a council, and that he could not have an interview with us until half past six o'clock this afternoon, and, of course, too late for me to advise you of the result by the dispatch-bag, which leaves to-night. In the mean time the report is rife that a decree is to be made, at once, expelling all Germans from Paris. I cannot, however, think such a thing can be possible; but if so, I shall communicate with you immediately by telegraph.

* * * * * * *

I have, &c.,

E. B. WASHBURNE.

No. 24.

Mr. E. B. Washburne to Mr. Fish.

No. 254.] LEGATION OF THE UNITED STATES,
Paris, August 12, 1870. (Received August 23, 1870.)

SIR: In the tremendous rush upon me, I have only time to send you the accompanying printed list of the new ministry. I was in hopes to have been able to give you some account of them, but it is impossible to do so to-day.

I have, &c.,

E. B. WASHBURNE.

LE NOUVEAU MINISTÈRE.

Guerre: Comte Palikao.
Intérieur: Chevereau.
Finances: Magne.
Justice: Grandperret,
Commerce: Duvernois.
Marine: Rigault de Genouilly.
Travaux: Jerome David.
Affaires Étrangères: La Tour d'Auvergne.
Conseil d'État: Busson-Billaut.
Instruction Publique: Brame.
Le Ministère des Beaux-Arts est définitivement supprimé.
On remarquera qu'il n'est pas question du Ministère de la Maison de l'Empereur.

No. 25.

Mr. Washburne to Mr. Bancroft.

LEGATION OF THE UNITED STATES,
Paris, August 12, 1870.

MY DEAR COLLEAGUE: The Duke de Gramont sent me a letter last night, stating that, on account of a "compromising correspondence," the

hitect, the *maître d'hôtel* and two domestics, supposed to mean the *cierge* and his wife, in charge of the Prussian embassy, would be mediately expelled from France.

went personally quite early this morning to the embassy to advise parties what was to happen, and to tell them that I should send erson at once to take charge of the embassy when they were sent off.

I have since procured two honest young Americans from my old ngressional district in Illinois to go right into the embassy and keep arge of it, to employ an honest and faithful *concierge* and some trustrthy person to have charge of the house and furniture, and in case of y trouble or attack, to display the American flag.

I hope the Prussian Government will understand that I have done all at I can to protect their property, and that I do not presume now that will be interfered with.

I received your letter this morning, with the inclosure, about private operty here in Paris. I hope to be able to telegraph in the morning. learn this moment, and just as the mail closes, that there is to be an der of expulsion of Germans from Paris. If so, I shall endeavor by ery proper means in my power, consistent with my position, to allevie the hardships of such a measure, and afford all possible assistance the unfortunate persons who shall become subject to it.

I am, in great haste, very truly, your obedient servant,

E. B. WASHBURNE.

Hon. GEORGE BANCROFT, *&c.*, *&c.*, *&c.*

No. 26.

Mr. Washburne to Mr. Bancroft.

LEGATION OF THE UNITED STATES,
Paris, August 13, 1870.

MY DEAR MR. BANCROFT: I have received your esteemed favor of he 8th instant, containing inclosure of Mr. Thile, and I immediately took he necessary steps to obtain the desired information without having recourse to official inquiry.

All merchandise of German origin at present in the Paris warehouse of course all contraband of war excepted) falling within the category of private property is not in any danger whatsoever, so far as already-existing laws are concerned. This is the general opinion of the mercantile community here.

It is, of course, impossible to make any conjectures as to what laws may be adopted or measures taken hereafter.

I am, very truly, yours,

E. B. WASHBURNE.

Hon. GEORGE BANCROFT, *&c.*, *&c.*, *&c.*

No. 27.

Mr. Washburne to Messrs. McKean.

LEGATION OF THE UNITED STATES,
Paris, August 17, 1870.

GENTLEMEN: The *maître d'hôtel* of the Prussian embassy having been ordered out of France, I have to request that you will do me the favor to

take possession of and occupy the said embassy till further orders. In conjunction with the *concierge*, I wish to confide the protection of the property to you, and in case of threatened violence, you will display the American flag.

Very respectfully, your obedient servant,

E. B. WASHBURNE.

JAMES A. and JOHN H. MCKEAN,
Citizens of the United States.

No. 28.

Mr. Hoffman to Mr. Gill.

LEGATION OF THE UNITED STATES,
Paris, August 12, 1870.

DEAR SIR: In reply to your last letter, Mr. Washburne desires me to say that the French Government is about to take new steps in reference to North Germans residing in French territory, which will probably result in the expulsion of the greater part of them. Mr. Washburne is to see the minister of the interior upon the subject this evening, and if he has anything important to communicate to you, I will write tomorrow.

Respectfully, your obedient servant,

WICKHAM HOFFMAN,
Secretary of Legation.

A. G. GILL, Esq.,
United States Consul, Rheims.

No. 29.

Mr. Hoffman to Mr. Gill.

LEGATION OF THE UNITED STATES,
Paris, August 14, 1870.

SIR: There is evidently some error in the regulations relative to the Germans at Rheims. Probably the new instructions had not reached there yesterday.

The minister of the interior has promised us to facilitate their exit in every way. The slightest sort of a pass from the United States legation or consulate—the seal, without signature, with the *visa* "*Bon pour sortir de France*"—is to be enough. We gave one hundred and seventy such yesterday.

Mr. Washburne has called the minister's attention to your letter. General Read has returned, and I presume that, with a view to uniformity in the action of the consuls in this matter, it would be well that you should correspond with him.

Very truly, yours,

WICKHAM HOFFMAN,
Secretary of Legation.

A. G. GILL, Esq.,
United States Consul, Rheims.

No. 30.

Mr. Washburne to Mr. Jones.

LEGATION OF THE UNITED STATES.
Paris, August 15, 1870.

MY DEAR MINISTER: Please see Count d'Enzenberg, and tell him f the terrible condition of the subjects of the Grand Duke of Hesse, who are ordered to leave France.

Deprived of all labor, without money and without bread, threatened continually in their neighborhoods, and ordered to leave France, their condition is deplorable beyond description. Prussia has given me a large credit to take care of its subjects who are ordered out, and Darmstadt must do the same as soon as possible or her subjects will starve. The scenes of misery I am witnessing to-day are enough to move the strongest hearts. I am myself advancing to some subjects of Darmstadt, as I cannot resist the tears of the poor, half-starved women with their babies in their arms.

Please lose no time in this matter. I know Count d'Enzenberg will act at once and advise me.

I write in great haste to get off my mail.

Truly, yours,

E. B. WASHBURNE.

Hon. J. R. JONES.

No. 31.

Mr. Washburne to Mr. Bancroft.

LEGATION OF THE UNITED STATES,
Paris, August 15, 1870.

MY DEAR COLLEAGUE: I have the notice through Mr. Jones of the credit of fifty thousand thalers. It has not come too soon. Sad scenes of misery and desolation as I have been compelled to witness to-day are enough to appal the sternest heart.

These poor honest Germans have all been thrown out of work since the declaration of war, and many of them have used up all the means they had. They are now without work, without money, without bread, threatened in their neighborhoods, and in the greatest state of terror and misery. Starving women with their little children in their arms fill my legation. Men gaunt with hunger and anxiety are awaiting with the crowd in the street. I give such persons thirty francs to get to the frontier, and I hope that will be enough for that purpose, and then the Prussian Government must take care of its children. Its response to my suggestion to have a credit to be applied to this purpose is worthy of a great nation.

I want you to communicate with the Saxon Government, and have a credit here for its subjects as early as possible.

Very truly yours, &c., &c.,

E. B. WASHBURNE.

Hon. GEO. BANCROFT.
&c., &c., &c.

No. 32.

Mr. Washburne to Mr. Jones.

LEGATION OF THE UNITED STATES,
Paris, August 16, 1870.

DEAR COLLEAGUE: We have made arrangements to send great numbers of expelled Germans into Belgium and to Herberthal, which is on the Prussian frontier. The train carrying these people will leave Paris half past ten o'clock at night and will reach Herberthal at 2 o'clock p. m. of the next day. You should at once see the representative of the Prussian Government in Belgium and give him notice of this, so that these people can be taken care of on their arrival at Herberthal.

Very truly, yours,

E. B. WASHBURNE.

Hon. J. R. JONES,
&c., &c., &c.

No. 33.

Mr. Washburne to Mr. Fish.

No. 257.] LEGATION OF THE UNITED STATES,
Paris, August 15, 1870. (Received August 31.)

SIR: I have to-day received the dispatch of Mr. Davis, relative to the credit to be placed at my disposition by the Prussian Government in aid of their subjects expelled from France. I have also received an authoritative dispatch to the effect that 50,000 thalers will be placed to my credit for that purpose. This credit has come none too soon. Five hundred subjects of the North German Confederation have been to the legation to-day to get their passports to leave French territory. Among this number have been many persons of extreme poverty, and whose condition was in every respect most deplorable. Since the breaking out of the war no Germans have been able to get work, and the poorer classes have already exhausted the very little they had in store. They are, therefore, to-day without work, without money, without credit, without friends, without bread. Pinched with hunger, terrified by threats of violence, with no means of leaving the country, they have come to me to save them. Women with little babes in their arms, and women far gone in pregnancy, bathed in tears and filled with anguish, have come to our legation as their last hope. I feel immeasurably thankful that the liberality of the Prussian Government has enabled me to afford these poor people some relief. I gave each one 30 francs, which is enough to enable them to reach the German frontier, where I have no doubt they will be taken care of. I shall do all in my power to assuage the miseries of these people whose cruel situation must challenge the profoundest sympathy of every generous heart.

You must excuse this hastily written dispatch, finished at midnight after a day of incessant labor.

I have, &c.,

E. B. WASHBURNE.

No. 34.

Mr. Washburne to Mr. Fish.

o. 258.] LEGATION OF THE UNITED STATES,
Paris, August 16, 1870. (Received August 31.)

SIR: Referring to my dispatch No. 238, bearing date the 29th ultimo, now have the honor to inclose you herewith the reply of the Duke de ramont to my letter to him, dated the 25th ultimo, together with my joinder thereto.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.—Translation.]

The Duke de Gramont to Mr. Washburne.

PARIS, *August* 3, 1870.

SIR: I desired to answer sooner the letter which you did me honor to address me the th ultimo, concerning the subjects of the North German Confederation recalled to eir country. The necessity of consulting with my colleague, the minister of the terior, whose province it is to organize the numerous details that relate in time of war the residence of foreigners in France, and especially to that of the subjects of the emy's nation, has been the only cause of this delay.

I am to-day able to make known to you the measures taken to assure the execution f the resolutions of the government, of which I notified you the 23d of July; but first ermit me to examine briefly the observations so courteously presented in your letter ted above, on the line of conduct that the government of the Emperor has seen fit to lopt under existing circumstances, in relation to a certain class of German subjects sident in our territory at the time of the declaration of war.

It is not my intention to sift to the bottom the rights of belligerents toward the emy's subjects. The principle itself, in virtue of which the government of the mperor has acted, is not to the point. You have been pleased to recognize this; but, ough admitting that in strict point of view our right is not contestable, it would em to result from your remarks that the application that we had made of it partakes f those extreme consequences of the right of war which modern ideas and the progress f civilization disavow.

We attach too much importance to the preservation of the sympathy of the great epublic which you represent not to try to correct your first impression in demonstrat- g that nothing in the measures adopted by the government of the Emperor is of a ature to make us incur the responsibility of a disregard of the laws of war, as they e recognized in our days.

In ancient law, as well as in ancient custom, the subjects of the enemy residing in he territory were considered as prisoners upon whom could be visited all the conse- uences of war.

According to the modern theory the modification of this state of things consists not n conceding to the subjects of the enemy an absolute right to leave the territory of the elligerent, but to impose upon the latter the duty of not maltreating them if it per- its them to remain within its territory, and if they conduct themselves peacefully, or n case the government does not wish to keep them, to accord them a reasonable delay or leaving the country. You refer on this point to the fact that in 1798, that is to say t a moment when hostilities appeared imminent between France and the United States, t was ordered that the subjects of the enemy who desired to leave the United States ere at liberty to do so.

This objection has nothing in itself decisive, because what one law has done under ertain circumstances, another law can modify, if there is occasion.

As to the passage from the celebrated juris-consult, quoted in your letter, I will first bserve that Kent, according to the summary of his views, belongs very much more o the class of partisans of the rigorous doctrine; it is sufficient to remind for that in pposition to the greater part of modern writers, who maintain that war constitutes a elation between the respective states alone. Kent differs from this principle, in hold- ng that war is also a relation between individuals, and that war once declared, the ubjects of one government immediately become enemies of all the subjects of the others.

It can also be said that in the passage reproduced, Kent confines himself to men- ioning the opinion of Vattel without giving his own, and in calling attention in the following paragraphs to the fact that the jurisprudence of the Supreme Court of the

United States has definitively pronounced itself formally in favor of the most rigorous doctrine. (Vol. I, sec. 59.)

The most accredited German authors limit themselves to demand, as an extreme favor of the belligerents, to accord to the unsuspected and peaceful subjects of the enemy authorization to continue to reside on the territory. It is thus that Heffter, professor of the University of Berlin, after having expressed this idea, that the subjects of the enemy should obtain a suitable delay for leaving the territory, adds: "Circumstances, nevertheless, may render necessary their provisional sequestration in order to prevent their making communications and carrying news or arms to the enemy." (Le Droit International, pp. 226, 240.)

Has the government of the Emperor done anything but apply this doctrine in the most moderate manner? Has it gone beyond what the laws of legitimate defense allow? I do not think so; and I am persuaded, sir, that you will share my opinion if you will be pleased to examine in regard to whom and in what cases the measures in question have been taken. First, it has been decided in principle that all Prussian subjects whatever residing in our territory will be permitted to remain there, and there enjoy the protection that our laws grant to all foreigners who respect and submit to them.

We had no intention of adopting any other measures as regards the subjects of the enemy, when an incident, the gravity of which could not be mistaken, and to which we could not be blind without wanting in our first duties toward the country of which the defense is confided to us, occurred to awaken the attention of the minister of war.

Hardly had war been declared when we saw Prussian subjects, whose age called them to serve in the enemy's army, gather openly at the railway station, and there, obedient to a word of command, as if there had been a sort of recruitment practised, prepare to cross the frontier.

It was then that the government of the Emperor had to ask itself whether the favors that are consistent with a state of war could go so far as to allow our enemies freely to augment their military forces at the moment when the struggle was about to commence, and if there was no means of distinguishing between inoffensive persons and those whom we were liable to meet a few days later in the ranks of the combatants.

This distinction has been made as it should be, and we have beside the consciousness of having acted within the limit of our legitimate rights in that which concerns those even to whom the prohibition of exit applies. Nothing is changed from our previous resolution under the head of the security which is accorded to them if their conduct does not furnish motives, based upon complaints, and without our having so far the idea of using against them the odious treatment inflicted upon the French recently expelled from Baden territory.

To recapitulate, the following measures have been adopted regarding German subjects:

1st. The authorization to leave France will only be accorded individually to those over forty years of age.

2d. To those above that age there will be delivered by the minister of the interior a safe-conduct, which will be retained on the frontier by the agent in charge of the surveillance.

3d. The safe-conduct being retained on the frontier, will not be submitted to the visa of foreign affairs. It is independent of the passports which the legation or the consulates of the United States may think proper to deliver to those interested, and those passports will not be subjected to the *visa* of the ministry of the interior nor of that of foreign affairs.

4th. In case a German subject should wish to enter or return to France, the request should be addressed direct to the ministry of foreign affairs, or by the intermediary of the diplomatic agents.

Accept the assurance of the high consideration with which I have the honor of being, sir, your very humble and very obedient servant,

GRAMONT.

[Inclosure. 2.]

Mr. Washburne to the Duke de Gramont.

LEGATION OF THE UNITED STATES,
Paris, August 9, 1870.

SIR: I have the honor to acknowledge the receipt of your communication of the 3d instant, in which you inform me of the decision of His Majesty's government respecting the granting permission to the subjects of the North German Confederation to quit France.

As your excellency appriees me of the decision as a definite one, it does not become

to discuss it any longer as an open question; but inasmuch as certain observations your excellency in regard to the action of the American Government under similar cumstances, and to the opinion of one of its leading publicists upon the points volved in discussion, seem to invite, if not to require, some further notice on my part, beg leave very briefly to say a few words in reply to those observations. I do so iefly because I feel confident that my government will take deep interest in the decision of the question now raised in this discussion, and because I am sure that it will very desirous that its true position in regard to it should not be misunderstood.

Your excellency remarks, in reference to the statute of the United States of the 6th July, 1798, which I had the honor to cite in order to show its settled practice and licy on this head, that the argument to be derived from it has "nothing decisive in , because what one statute has ordained under certain circumstances, another statute in modify, if there is occasion so to do." In reply to this suggestion permit me to call our excellency's attention to the fact that the law in question has now stood on the tatute-book of the United States for more than seventy years; that it has remained ntouched and unchanged in the particular in question during the only foreign wars hich the United States have had during that time, viz, with Great Britain in 1812, nd with Mexico in 1847; and that if the United States were justly committed to that olicy in 1798, when it had only a population of 3,000,000, mostly indigenous to the oil, it is now infinitely more pledged to it, when out of its population of 35,000,000 to 0,000,000 so large a population of her citizens are of recent emigration, and when merican citizens are to be found outside of her limits in vast multitudes, at any moment that a foreign war might arise. Could your excellency believe that under uch circumstances my government would give its assent to a principle, or think for a moment of repealing a law, the effect of which, if imitated by foreign nations, would e that every one of its numerous citizens in foreign parts would be liable to be detained in any hostile country, with whom the United States might happen to engage in hostilities, because all such citizens are held liable at home, as is the case, to be called on to do military duty? No! I pray your excellency to consider the statute provision referred to, tested as it has been by a long series of years, and reiterated in sentiment as it has been over and over again in numerous subsequent treaties of the United States with other powers, as rather a fundamental, organic element of American policy, than as a passing temporary ordinance which could readily yield to the slightest pressure of a change of circumstances. In this sense I beg to put it upon the same platform as the neutrality statutes of the United States, which have remained essentially the same, notwithstanding numerous grave crises, ever since their first enactment in 1793.

Your excellency is pleased to pay the compliment to the distinguished American publicist Kent, whose opinion I took the liberty to cite, to say, that in regard to another passage quoted by me he limits himself to repeating the opinion of another, without expressing his own. In regard to this statute, however, your excellency will observe that he speaks for himself of it, as "dictated by a humane and enlightened policy" (vol. 1 Commentaries, p. 58); and I understand him to extend the same comment to English and French laws of the days of Edward III and Henry VIII of England, and the ordinance of Charles V of France, which declared at that early day that "foreign merchants who should be in France at the time of declaration of war shall have nothing to fear, for they should have liberty to depart freely with their effects."

Will your excellency also allow me to make, in regard to the passage wherein you say Chancellor Kent contents himself with citing Vattel without giving his own opinion, that the learned chancellor says (five lines earlier, page 56) in his own person that "such stipulations (as allowing foreign subjects a reasonable time after the war breaks out to recover and dispose of their effects, or to withdraw them) have now become an establishment *formula* in commercial treaties." If this should seem to be limited to the right of the foreigner to withdraw *his property* only, and not *his person*, I beg to ask if the concession of the lesser privilege does not, *a fortiori*, imply that of the greater. How can one be supposed to be able to withdraw his goods and effects [without] withdrawing himself also? Vattel, in the passage immediately following (as do most of the writers on public law which I have had an opportunity to consult), puts the two concessions upon the same common co-ordinate basis. And since your excellency has done me the honor to refer to Vattel in connection with Kent, will you permit me to call your attention to the fact that the American commentator, in quoting Vattel, fails to translate into English the full force of the Swiss publicist's *dictum*, which I beg leave to characterize as one of the most forcible as well as most accurate expressions of the sentiments which I am trying to express in behalf of my government that can anywhere be found. With your excellency's permission, I will quote the whole paragraph from the original French:

"Le souverain qui déclare la guerre ne peut retenir les sujets de l'ennemi qui se trouvent dans ses états au moment de la déclaration non plus que leurs effets; ils sont venus chez lui sur la foi publique; en leur permettant d'entrer dans ses terres et d'y séjourner il leur a promis tacitement toute liberté et toute sûreté pour le retour.

Il doit donc leur marquer un temps convenable pour se retirer avec leurs effets; et s'ils restent au delà du terme prescrit, il est en droit de les traiter en ennemis, toutefois et ennemis des amis. Mais s'ils sont retenus par un empêchement insurmontable, par une maladie, il faut nécessairement, et par les mêmes raisons leur accorder un juste délai. Loin de manquer à ce devoir aujourd'hui on donne plus encore à l'humanité, et très souvent on accorde aux étrangers, sujets de l'état auquel on a déclaré la guerre, tout le temps de mettre ordre à leurs affaires."

These sentiments lose none of their force when it is remembered that they were uttered more than a century ago.

I will only allow myself a single further observation in regard to the judicial decision of the Supreme Court of the United States, upon which your excellency bestows a passing observation. When Chancellor Kent speaks of the "ancient and stern rule having become definitively settled by the Supreme Court of the United States," he does not point his comment with his usual accuracy. It was only with reference to the *confiscation of property*, and not the detention of persons, that the American Supreme Court was deciding; and it was only in reference to the formula that the learned chancellor's comment was pertinent, and what I pray your excellency to observe was that decision. The lower court (the eminent Judge Story) had decided that British property found on American territory during the war of 1812 was rightfully seized and confiscated by the United States Government, but the Supreme Court overruled this decision, and held that enemies' property was not liable to detention without a special statute of the United States Congress to that effect; and I beg your excellency's attention to the fact that the United States never have passed any such statute of confiscation *àpropos* of a foreign war, down to this day; and that, therefore, at the present moment, by the decision of the highest American tribunal, if any such war shall hereafter break out, an enemy's property will not be liable to confiscation. As for his personal security, I beg leave to say that the belligerent stranger may fall back, with perfect security, upon the law of 1798, above commented on, and, as I believe, with perfect assurance that he will not see its repeal attempted, much less accomplished, whatever may be the pressure of a foreign war.

I trust that your excellency will see that in this more extended reply to the communication of the 3d instant than I intended, I have in view but the single point of representing, so far as I may do, without other instructions from home, the deep interest which I am confident my government will take in the decision which the Government of France feels itself constrained by circumstances to adopt in regard to North German subjects, whose interests I am permitted by the comity of His Majesty to represent and befriend.

I take the present opportunity, &c., &c., &c.

E. B. WASHBURNE.

His Excellency the DUKE DE GRAMONT,
Minister of Foreign Affairs.

No. 35.

Mr. Washburne to the Duke de Gramont.

LEGATION OF THE UNITED STATES,
Paris, August 16, 1870.

MY DEAR SIR: Mr. Bancroft, the minister of the United States at Berlin, to whom I applied for information in regard to Colonel Gramont and others, writes as follows: "Telegraph after telegraph has been sent respecting Gramont and others of whom you write. As yet nothing is known but that Gramont was wounded, and left behind at Worth. Every effort is making to learn more."

I am sorry Mr. Bancroft could not give more satisfactory information touching your brother, but I trust you may have such information from other sources.

I have the honor to be, with great respect, your obedient servant.

E. B. WASHBURNE.

His Excellency, the DUKE DE GRAMONT.

No. 36.

Mr. Washburne to the Messrs. Rothschild.

LEGATION OF THE UNITED STATES,
Paris, August 17, 1870.

GENTLEMEN: I am advised that the Prussian Government will place at your house at my disposition a credit of fifty thousand thalers. In opening such a credit I would be glad to have it done not in my name as an individual, but in the name of "E. B. Washburne, minister of the United States, charged with the protection of the subjects of the North German Confederation in France, pending the existing war between France and Prussia."

I shall, however, sign the drafts as an individual, and in all cases where I want funds other than paper I shall so specify on the face of the drafts.

I have the honor to be, very respectfully, your obedient servant,
E. B. WASHBURNE.

Messrs. ROTHSCHILD.

No. 37.

Mr. Washburne to Mr. Read.

LEGATION OF THE UNITED STATES,
Paris, August 18, 1870.

SIR: I beg leave to inclose a copy of the instructions given by the prefecture of police to their agents:

2me. dépêche du 13 d'août. Les explications que j'ai données au Corps Législatif au sujet des Prussiens, vous ont fixé sur la portée des mesures qu'il convient de leur appliquer afin de rendre encore plus facile le départ des Prussiens et Allemands dont la situation ne comporte pas des menagemens particuliers.

J'ai décidé que nul visa d'une autorité française ni sera apposé sur le passeport ou la passe qui sera délivrée par les ministres ou les consuls chargés des intérêts de ces étrangers.

You will consider yourself, therefore, authorized to give passes to subjects of the North German Confederation, and by so doing you will relieve us very much. I inclose a form of the passes we give, to which you will merely attach the stamp of your consulate.

I am, very truly, your obedient servant,
E. B. WASHBURNE.

General J. MEREDITH READ,
Consul-General, Paris.

No. 38.

Mr. Washburne to Mr. Schmidt.

LEGATION OF THE UNITED STATES,
Paris, August 18, 1870.

ANTOINE SCHMIDT: You must go again and see the director of the railroad. The number of people wanting to leave is so great that if I

am to continue to send them I must have an arrangement to have the tickets at half-price.

Mr. Kern, the Swiss minister, tells me he has that arrangement with the Lyons Railway, and with the Swiss railways, so far as regards the people he is sending out of the country. It is absolutely necessary for me to have the same or I must stop sending. I know that the French Government will desire the railroad to make this arrangement, and it should include the tickets already delivered to us, although, of course, we shall pay full price for tickets already delivered if they insist.

Yours,

E. B. WASHBURNE.

No. 39.

Mr. Schmidt to Mr. Washburne.

PARIS, *August* 18, 1870.

SIR: Immediately on receipt of your letter of to-day, I went to the director of the Northern Railroad and showed him the letter which your excellency addressed to me. His answer was that you should apply to the minister of the interior to obtain a letter from him requesting the Northern Railroad Company to agree to your request to let you have tickets at half-price to send home the poor people of the North German Confederation, as they have to leave France by order of the French Government.

After having reported verbally these facts, I went to the minister of the interior, and after a short explanation upon the subject I obtained the letter requested for the Northern Railroad Company to give me full power to obtain the reduction of the tickets to half-prices. I respectfully request your excellency to write a letter on the subject to the same company.

Very respectfully, I remain, your most obedient servant,

A. SCHMIDT.

His Excellency E. B. WASHBURNE,
Minister of the United States, charged with the affairs of the North German Confederation.

No. 40.

Mr. Washburne to Mr. Fish.

No. 261.] LEGATION OF THE UNITED STATES,
Paris, August 19, 1870.

SIR: I am to-day in receipt of a communication from the minister of foreign affairs, inclosing two official copies of the notification of the blockade of the North German coast by the French fleet. I am requested by the Prince de la Tour d'Auvergne to transmit this notification to my government, in order that it may communicate the information to American citizens.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.—Extract from the Journal Officiel de l'Empire, August 17, 1870.]

OFFICIAL PART, MINISTRY OF FOREIGN AFFAIRS.

Notification of the blockade of the coast of Prussia and of the German States in the North Sea.

We, the undersigned, vice-admiral commanding-in-chief the naval forces of His Majesty the Emperor of the French in the North Sea, in consideration of the state of war existing between France and Prussia, together with the states of the North German Confederation, acting in virtue of the powers belonging to us, declare that from the 15th of August, 1870, the coast of Prussia and of the North German Confederation, extending from the island of the Baltram north of the Eider, with its ports, rivers, harbors, roads, and creeks, is held in a state of effective blockade by the naval forces placed under our command, and that a delay of ten days will be granted to friendly or neutral vessels in order to finish loading and to leave the blockaded districts.

The geographical limits of this blockade are:

The meridian of 5° (five degrees) of east longitude from Paris, as far as the parallel of 54° 5′ (fifty-four degrees five minutes) north latitude.

The parallel as far as the longitude of 5° 45′ (five degrees forty-five minutes) from Paris.

Then the meridian of 5° 45′ (five degrees forty-five minutes) as far as the parallel of 54° 20′ (fifty-four degrees twenty minutes) of latitude.

And, finally, this latter parallel as far as the coast.

Steps will be taken against any vessel which may endeavor to violate the said blockade, in accordance with international law and the treaties now in force with neutral powers.

On board of the Magnanime, an iron-clad frigate of His Majesty the Emperor of the French, stationed between the English island of Heligoland and the Prussian coast.

The vice-admiral commanding-in-chief.

FOURICHON.

August 12, 1870.

No. 41.

Mr. Hoffman to Mr. Read.

LEGATION OF THE UNITED STATES,
Paris, August 20, 1870.

GENERAL: Mr. Washburne desires that you will instruct our consuls in the different sea-ports of the empire to keep a sharp lookout for all German vessels loaded for American account which may be captured by French cruisers and brought into port. They should advise you immediately, and you will please advise Mr. Washburne.

Your attention is particularly called to the following vessels which sailed from German ports, loaded with lead for account of American owners, and bound to the United States. It is believed that they have all escaped, but the arrival of some of them out has not yet been reported.

I am, &c.,

WICKHAM HOFFMAN,
Secretary of Legation.

General READ,
Consul-General of the United States, Paris.

No. 42.

Mr. Washburne to Mr. Jones.

LEGATION OF THE UNITED STATES,
Paris, August 20, 1870.

SIR: We are sending the Germans from Paris to the German frontier at Huberthal, passing over the Belgian Railroad. The full fare, third-class, clear through, is 22 francs. The Chemin de fer du Nord here has now agreed to take half-fare, and they have requested me to apply through you to have the same reduction made by the Belgian Railroad, and they have no doubt it will be readily conceded. Will you, therefore, take immediate steps to accomplish this. The whole fare is divided as follows:

	Francs.		Francs.
French	14.85	Half French fare	7.45
Belgian	7.15	Half Belgian fare	3.55
	22.00		11.00

Eleven francs, which is half-fare, whole distance.

Yours, truly,

E. B. WASHBURNE,

Hon. J. R. JONES,
Minister United States, Brussels.

No. 43.

Mr. Washburne to Mr. Conneau.

LEGATION OF THE UNITED STATES,
Paris, August 20, 1870.

SIR: I have been informed that some persons at St. Gratien, near Enghein les Bains, have menaced the property of Mr. Bamberg, consul-general of the North German Confederation. As the government of His Majesty the Emperor has assured me that the property of the German officials should be protected during their absence, I beg you will have the kindness to take the necessary measures to protect the property of Mr. Bamberg.

Receive, sir, the assurance of my highest consideration.

E. B. WASHBURNE,
Charged with the protection of the subjects of North Germany in France.

Monsieur C. CONNEAU,
Prefect de Seine and Oise.

No. 44.

Mr. Washburne to Mr. Fish.

No. 266.] LEGATION OF THE UNITED STATES,
Paris, August 22, 1870. (Received September 8.)

SIR: In my dispatch No. 253, and dated the 12th instant, I spoke of an interview which was to be had that evening by Mr. Kern, the Swiss minister, Mr. Okouneff, the Russian chargé d'affaires, and myself, with

M. Chevereau, minister of the interior, on the subject of the protection of the subjects of the powers at war with France.

I will now endeavor to give you a connected narration of what has taken place in regard to this matter since the date of my dispatch above alluded to.

On the 12th instant, at 6.30 p. m., Mr. Kern, Mr. Okouneff, and myself had the interview with the minister of the interior of which I spoke in my dispatch No. 253. Between the time the interview was arranged with M. Chevereau and the time it actually took place the subject of the expulsion of the Germans from Paris had been up in the Corps Législatif, and for a full understanding of what was said and done there I send you a translation of the material part of the debate, marked No. 1, as copied from the official journal. I would call your attention to the language made use of in this debate by the minister of the interior, M. Chevereau. He speaks of all measures taken to expel [*expulser*] the foreigners in Paris. I alluded to this for the reason that Mr. Davis had requested in his telegraphic dispatch that the word "*departure*" should be substituted for the word "*expulsion*."

Calling upon M. Chevereau, at the ministry of the interior, at the appointed hour, Mr. Kern, as being the senior minister here, stated to him the subject upon which we had desired to see him, and explained our positions in the matter. M. Chevereau remarked that when he came into office he found that the preceding ministry had, in view of the circumstances at the time, adopted the policy of refusing to allow Prussians to leave France, and had made certain provisions regulating their residence. The circumstances had, however, changed, and he found himself in the face of regulations which had no longer any "*raison d'être*." The government had, therefore, determined, with the view of both relieving itself from the presence, in the heart of the capital, of some forty thousand Prussians, and at the same time for the purpose of protecting them from the excited population of Paris, to order them in the most humane mode to leave the country. He was urged to do this in order to answer the interpellations of the Corps Législatif and the general expression of public opinion as found in the journals of Paris. After a general conversation as to the effect of such action on the German population, and the hardships and misery which would result therefrom, Mr. C. said he was prepared in every way to mitigate as far as he could the harshness of the order, and that he would take pleasure in making the exceptions as numerous as possible; that any persons who could be recommended by respectable parties in their neighborhood, or who would be indorsed by the legations of Russia, the United States, and Switzerland, he would cheerfully allow to remain unmolested. At the same time, in view of the excited state of the population of Paris, he advised all who could get off to leave at once. He would endeavor to remove all difficulties in the way of departure and to make the formalities as few as possible. At my own suggestion he promised to ascertain from the prefecture of police whether it would be possible to dispense with the police *visa* of that office on the passports of Germans wishing to leave, and, in concert with the prefect, he would devise some expeditious mode by which the Germans could leave France on the simple *visa* of the different legations charged with their protection. At my further suggestion, he promised to send immediate orders to the French police agents on the frontier not to molest the Germans who had started to leave the country, even if their papers had not a proper *visa*. I then told the minister that I had received very recent information from the American consul at Rheims of the ill-treatment to which the German residents in that vicin-

ity had been subjected. He gave orders that the prefect should be immediately telegraphed to consult with the American consul there, and to afford every protection possible, and also to authorize our consul to give them passes to leave the country. In conclusion, the minister said he should be glad to place himself entirely at the disposition of the representatives of Russia, the United States, and Switzerland, with the view of aiding them in removing the difficulties which he understood must surround the position of the different peoples under their protection.

At quite an early hour the next morning Mr. Erian, one of the under secretaries of the ministry, called at the legation to state that it had been arranged with the police authorities that all of the people under my protection could leave France upon the simple *visa* of my legation, a form of which he gave.

As I stated in my dispatch No. 257, under date of the 15th instant, we have been giving these *visas* in great numbers, as well as furnishing pecuniary assistance to a smaller number in order to enable them to leave French territory.

I had the honor to receive on the 17th instant the telegraphic dispatch of Mr. Davis, containing the approval of my action in suggesting a credit to be placed at my disposition by the Prussian government to aid in removal of their poor from Paris, advising me that such a credit had been given, and instructing me to do what I could, consistent with public law and the position of our country as a neutral, to mitigate the severity of the order of "*expulsion*." I also received, the day after, the telegraphic dispatch submitting the word "*departure*" for the word "*expulsion*," which I have above alluded to.

Though I had left nothing undone in respect of the instructions contained in the telegraphic dispatch of Mr. Davis above alluded to, I lost no time in seeking an interview with the Prince de la Tour d'Auvergne on the subject. After conversing in relation to some minor matters, I told the prince that the principal object for which I had sought an interview with him had relation to the position in which I found myself as charged with the protection of the subjects of several of the powers with which France was at war. I stated that the sudden determination of the French Government in regard to the departure of the Germans from France had taken me by surprise, and I wanted to know if it were not possible for his Majesty's government to change their determination in that matter. I explained to him the great distress and hardship it inflicted on thousands of peaceable, innocent, and inoffensive men, women, and children of the laboring classes, most of whom were very poor, and who came in great crowds to our legation seeking their passes and the means of getting out of France.

The minister remarked in reply that on his way from Vienna he first heard of this matter and had conceived great doubts as to the propriety of the measure, and on his arrival at Paris had so expressed himself to the Empress Regent and to the minister of interior. He had, however, yielded his first impressions upon the representations made to him by his colleague, the minister of the interior, that this measure, harsh as it was, was dictated by the pressure of circumstances; that the government could not without great concern contemplate the fact of such vast numbers of Prussians (estimated at forty thousand) residing in their midst; and that their apprehensions had become excited by the maneuvers of certain Prussians whose presence in Paris was dangerous in the highest degree; that the French population had reached a state of excitement on the subject of the residence of so many Prussians in the

part of the capital which rendered it unsafe for the latter, and placed e government under the obligation of requiring their departure for eir own sake as a measure of humanity, and in view of their protec-on, that the government was perfectly willing and anxious to mitigate e hardship of their decree by making any exceptions in favor of per-ns recommended by the respectable citizens of the neighborhood, and pecially in favor of any persons that the legation of the United States ight designate as worthy of their protection. I remarked in reply to is excellency that I had received the same assurance from his colleague, e minister of the interior, who had manifested every disposition to do l in his power to mitigate the severity of the order. I told him that y position had become somewhat embarrassing, and that the diffi-lties, so far from diminishing, were on the increase; and that out of e mass of the Germans in Paris under my protection it was impossible r me to pass upon the separate cases of those who might desire to emain; and even if I could pass on them, yet by reason of the under-tanding that the order of departure was general, many unobjection-ble persons, who would have been desirous of remaining in Paris and llowing their ordinary pursuits, considered themselves as being obliged o leave.

I said further that in carrying out the wishes and instructions of my overnment, I wished in the name of humanity to make an earnest ap-eal to the French Government, through him, to revoke the order if it hould be considered possible; and if that could not be done, to so nodify it as to permit the larger class of Germans in Paris to remain, hose conduct could give no possible cause of complaint to the French Government. His excellency then called my attention to the fact that he order of expulsion of all French subjects from Prussia having been ssued by the Prussian Government, no complaint could, strictly speak-ng, be made here against the French order, but that out of considera-ion for my position he was willing to entertain the subject. At the same time he stated that the French order had not been made in con-sequence of the order of the Prussian Government as a retaliatory measure, but for the reasons he had already suggested. I then stated that I was surprised to hear him remark that the Prussian Government had made an order of expulsion against French subjects, and was hardly prepared to credit it, unless he had positive knowledge that such was the fact. In confirmation of my belief I stated that I had read a telegraphic dispatch purporting to be an extract from a Berlin paper, which, referring to the expulsion of the Germans from France, expressly declared that the French subjects would not be expelled from Prussia, but would be placed under the protection of the Prussian Government. In reply to these suggestions of my own, his excellency stated that he had no official knowledge of the Prussian order of expulsion, but that he understood the minister of interior as stating it as a fact which he had taken for granted in his discussion of the matter with him. He further remarked in this connection that he had personal knowledge of the arrest and imprisonment, under very aggravating circumstances, of French consular agents, who had sought his protection in Vienna, and whose cases were stamped with peculiar hardships. In concluding the conversation his excellency requested me to address him a written com-munication embodying my views on the subject, and stating that he would take great pleasure in using his influence to procure them a favorable reception, with a view, if possible, of bringing about some substantial modification of the order. In accordance with such request

I addressed his excellency a communication, a copy of which I herewith transmit, marked 2.

In continuing this narrative of events, I have the honor further to state that the question of the expulsion of the Germans having again been up in the Corps Legislatif on Thursday last, and a report having been made to that body (which was, however, referred to the minister of the interior), recommending the expulsion, *without exception and without reserve*, of all of the subjects of all the powers at war with France, Mr. Kern and myself sought another interview on the subject with Mr. Chevereau, the minister of the interior, on Friday last. Mr. C. said he was aware that the report had been made to the Chamber, but that the matter was substantially in his own hands, and that there would be no aggravation of the measures which had already been taken. Mr. Kern, for himself, as well as on my behalf, explained to the minister the situation of matters, as then existing, so far as regarded the people with whose protection we were respectively charged, and the afflicting cases of hardship and suffering which we were continually compelled to witness at our legations. M. Chevereau replied that he could fully appreciate all that was said, but that the situation was the result of circumstances which could not be controlled; that the hostility of the people of Paris toward the Prussians had become intense, and that it was a matter of the safety of these people, as well as for other reasons, that they should depart as fast as possible. As a remote possibility the government might have to consider the effect of a siege of Paris, and in that event the city would be defended to the last. In the event of a siege, though scarcely possible, the situation of the Prussians then in Paris would be deplorable beyond description; and simply as a measure of humanity, he thought they ought to leave at a time when they were able to get away and reach their own country. He expressed his determination to do everything to moderate the hostility of the Parisians toward the Germans, and to have them protected while they remained here. He also reiterated his wish to do everything in his power to facilitate their departure, and to alleviate, as far as possible, the hardships which the state of war had produced in that regard. Mr. Kern and myself both explained to him that it was impossible to make separate applications for those who wanted the permission of the government to remain in Paris, and that when people who came to us to ask our advice on the question, and who represented themselves as peaceable persons, long resident in Paris, and engaged in business which they could not leave without great sacrifices, we had advised them to remain, quietly attending to their affairs and giving no cause of complaint to the government, until they should have special notification to leave, when they should apply to us. Mr. Chevereau fully assented to that course and said there was a large class of such people whom the government had no wish to drive away. In closing the interview, Mr. Kern, in speaking for us both, said that "in making these representations in the name of the interests of the Germans whose protection is confided to us, it is well understood that the governments of the German States may urge in the future all the rights which might result from the measures taken against their subjects in France."

Such is substantially what has taken place up to this time touching the expulsion of the German population from France. I shall endeavor to keep you fully advised of what may occur in the future.

E. B. WASHBURNE.

[Inclosure 1.]

Debate in the Corps Législatif on the expulsion of the Germans from France, August 12, 1870.

The question of the expulsion of subjects of the powers at war with France came up the Corps Législatif, in the sitting of the 12th instant, in the nature of an interpellation by M. Terme. I quote from the debate as it appears in the official journal the 13th instant:

"Mr. TERME. I demand the floor. I wish to interrogate the minister of the interior on the measure he has taken, or proposes taking, in relation to the foreigners who belong to the powers with which we are in war, and who now reside in France. Grave facts have been signalized. They have caused considerable emotion in France. I ask that this emotion shall be calmed.

"His excellency M. HENRY CHEVEREAU, minister of the interior. Gentlemen, at the commencement of the war the government had judged it proper to prevent the Prussians from going out of France, to prevent them from joining the army of the enemy.

"M. GAMBETTA. You have violated the first law of patriotism.

"THE MINISTER OF THE INTERIOR. The circumstances becoming grave, and the presence of foreigners proving extremely injurious to the interests of the national defense, we have raised that interdiction. *Since day before yesterday we have taken all measures to expel the foreigners who are at this moment in the capital.*

"M. CREMIEUX. Expel, or permit to leave?

"THE MINISTER OF THE INTERIOR. It is well understood that is my thought. Day before yesterday twelve hundred Prussians left Paris. As many left last evening. The Corps Législatif will comprehend that it is impossible in a single day to send away twenty thousand Prussians.

"THE MARQUIS DE PIENNES. I will ask the minister of the interior to explain the word 'expel,' which he has used. It would be a serious matter, touching humanity and civilization, to drive out of France, or even out of Paris, without distinction, all persons belonging to the nations with which we are at war.

"M. EUGÈNE PELLETAN. It is evident from the remarks of the minister of the interior, that the government has committed two mistakes. The first is, not having permitted the Germans to leave when they asked to go. It was a violation of the rights of persons. The second will be to drive them out in the present circumstances, for certainly when foreigners have been placed under the protection of the American and English embassies, you should respect their rights of person, and cause them to be respected. The character of the war is serious enough without seeking to implicate those who have committed no fault.

"M. CLEMENT DUVERNOIS, minister of agriculture and commerce. The Prussians have expelled our people.

"M. EUGÈNE PELLETAN. If there are Germans at present among us who are conspiring against us, you have something else to do than expel them; you should arraign them before the councils of war; that is what justice requires, and I will say more; while I have the floor to defend the principles of civilization which should be maintained against all attacks, I will ask to put another question to the minister of the interior. There has been posted on all the walls of Paris, and in all the departments of France, a dispatch, found upon the person of a spy. I demand to know what has become of this spy; whether he has been arraigned before a council of war? We have need to know the truth concerning a fact of this nature, as it has been made use of to calumniate a great party whose patriotism is now being shown.

"THE MARQUIS DE PIENNES. The question put by my honorable colleague should be examined in a double sense. The government has the right and the duty to guard against foreigners who abuse the hospitality which they find among us. It is necessary to repress severely such tendencies; but humanity and civilization would repel the measure that would strike without distinction the Germans who have long resided among us, and who, by their industry and labor, have contributed to the grandeur and prosperity of the country.

"THE MINISTER OF THE INTERIOR. I will answer to the honorable M. Pelletan, that it is evident and beyond question that a measure like this should be administered with discrimination, and where the persons are understood to be peaceable citizens as being so to speak, naturalized by long sojourn, by their habits and family ties, we have not the cruelty to expel them from France. I did not presume it was necessary to say this.

"M. EUGÈNE PELLETAN. I can but approve for myself the answer which the minister of the interior has made. It appeared as though the expulsion *en masse* of all the Germans residing in France was about to be made; that would evidently have been a measure contrary to the laws of nations. But if the government intends only to expel dangerous foreigners, there is no disagreement between us.

[Inclosure 2.]

Mr. Washburne to Prince de la Tour d'Auvergne.

LEGATION OF THE UNITED STATES.
Paris, August 17, 1870.

SIR: In our conversation yesterday you did me the honor to request that I might put in writing the views I expressed to you, verbally, in relation to the departure from France of the subjects of the powers now at war with France.

Having been charged by the direction of my own government, and with the consent of the French Government, with the protection of the subjects of the confederation of the north, as well as the subjects of Hesse Grand-Ducale, Saxony, and Saxe-Coburg-Gotha, in France, during the war now existing between France and the said powers, I beg leave to state that before any official action had been taken by the French Government in relation to the departure from France of the said subjects, my colleagues, Mr. Kern, the minister of Switzerland, charged with the protection of the subjects of Bavaria and Baden, and Mr. Okouneff, the Russian chargé d'affaires, charged with the protection of the subjects of Würtemberg, and myself, arranged an interview with M. Chevereau, minister of the interior, for Friday last, the 12th instant, with a view of seeking such measures of protection to the Germans in Paris as the situation seemed to require; but that before that interview took place I learned of the proceedings of the Corps Législatif on that day, and of the declaration of M. Chevereau to the Chamber that "Depuis avant-hier nous prenons toutes les mesures pour expulser les étrangers qui sont en ce moment dans la capitale." Therefore, when the interview actually occurred, we found it necessary to address ourselves to the measure of expulsion which has been considered by the Chamber. With courtesy and frankness M. Chevereau explained to us the position of matters touching the Germans in Paris. After stating what had been done and the reasons which had influenced the government, he expressed every desire to ameliorate, as far as possible, the severity of the situation, and to facilitate, in every way, the departure of the subjects to whom the order was intended to apply. But after the official action taken on this subject had become known, your excellency will not be surprised to learn of the alarm and excitement it produced among the people whose protection had devolved upon me. Their number is very large. In our conversation your excellency estimated it at forty thousand, other people have placed the estimate still higher. The removal of such a population in a few days, even with all ameliorations, could not fail to carry with it an incredible amount of suffering and misery, involving, as it must, the breaking up of homes and the sacrifice and abandonment of property. As to those subjects of the powers at war with France who abuse the hospitality of the country, and who remain in it to become spies, to plot against the government, to stir up sedition, and to trouble the public peace generally, all men will be in accord with the government in punishing them and in expelling them from French territory. But their number must be small as compared with the whole number of Germans finding themselves now in Paris. From my observation, the great number seem to be composed (independently of the active business men with large affairs) of honest, industrious, laboring men and women, who have come into the country under the sanction of public faith, relying upon the hospitality and protection of the government. They are for the most part engaged in daily toil for the support of themselves and their families, taking no interest in political affairs and many of them quite ignorant of the ordinary passing events. It is upon this class of people that the action of the government falls with peculiar severity. The scenes I am compelled daily to witness are afflicting. My legation and the surrounding streets are filled every day with crowds of these people, who come to procure their passes and to beg some aid (which I had been authorized to extend in certain cases) to enable them to conform to what they understand to be the direction of the government and to leave the country. Under these circumstances, therefore, I feel that I should fail to discharge the full measure of the duty devolving upon me in this regard, and that I should be forgetful of the obligations of humanity did I not make the strongest appeal to the government of his Majesty, through your excellency, to further consider this question, and to ask that if it be not possible to suspend action altogether, that there may be at least some modification of the measures already taken so as to permit such subjects of the belligerent powers as are under my protection, who are now in France, to remain in the country so long as their conduct shall give no cause of complaint, and further to ask for them that protection which the law of nations accords to unarmed enemies. In making this appeal I but obey the wishes of my government, which has instructed me to do everything which is consistent with the position of my country as a neutral, and with the law of nations to alleviate the condition of things now existing as regards these people with whose protection I have been charged.

In closing this communication I beg leave to thank your excellency for the clear and courteous manner in which you were pleased to explain the views of his Majesty's government on the subject of our interview, and for the disposition manifested by

your excellency to soften, in that respect, as far as might be in your power, the hardships which a state of war might impose.

I take this occasion to renew to your excellency the assurances with which I have the honor to remain your excellency's very obedient servant,

E. B. WASHBURNE.

PRINCE DE LA TOUR D'AUVERGNE,
Minister of Foreign Affairs.

No. 45.

Mr. Washburne to Mr. von Thile.

LEGATION OF THE UNITED STATES,
Paris, August 19, 1870.

SIR: I had the honor two days ago to receive the letter of you excellency on the subject of the arrest of Mr. Schleucker, the consul of the Confederation of North Germany at Lyons.

I immediately addressed a letter to the Prince de la Tour d'Auvergne on the subject, and delivered it to him in person. As he had but just taken possession of the foreign office, he was ignorant of the facts in the case, but he promised to take information at once and advise me in the premises.

As soon as I hear from him I shall communicate with you further on the subject.

I have the honor to be, very respectfully, your obedient servant,

E. B. WASHBURNE.

Mr. VON THILE,
Under Secretary of Foreign Affairs, &c., &c., &c.

No. 46.

Prince de la Tour d'Auvergne to Mr. Washburne.

PARIS, *August* 24, 1870.

SIR: On my being informed the 17th of this month that Mr. Schleucker, ex-consul of the North German Confederation, had been declared in bankruptcy and placed under arrest, you called my attention to his case, and expressed the desire to have a statement in regard to the measures taken concerning him.

I hasten to give you the explanation which I immediately requested from the prefet of Rhône in regard to his matter. It appears that on the 30th of last month, it having been reported that Mr. Schleucker had suspended payments, and was about to depart for Prussia, a mandate was issued by the procureur impérial. The bankruptcy was declared by the president of tribunal of commerce, but the examination of the statement presented having shown that the business of the house of Mr. Schleucker was relatively satisfactory and that the conduct of this banker gave no cause for serious apprehensions nor justified the imputation which had been made against him, he was released under bail following his arrest.

The prefet of the Rhône adds that Mr. Schleucker has the reputation of an honest man, but at the time of his arrest he was laboring under financial embarrassments dating back to an earlier period, the decision concerning which has not yet been rendered.

Receive, &c.,

PRINCE DE LA TOUR D'AUVERGNE.

Mr. WASHBURNE,
Minister of the United States.

No. 47.

Mr. Washburne to Mr. von Thile.

LEGATION OF THE UNITED STATES,
Paris, August 25, 1870.

SIR: I have the honor to transmit to you a copy of a letter I received from the Prince de la Tour d'Auvergne, minister of foreign affairs, in answer to my note of the 17th instant, relating to the case of Mr. Schleucker, ex-consul of the North German Confederation at Lyons.

I am, with great respect, your obedient servant,

E. B. WASHBURNE.

To Mr. VON THILE,
Under Secretary, &c., &c., &c., Berlin.

No. 48.

Mr. Washburne to Mr. Motley.

LEGATION OF THE UNITED STATES,
Paris, August 23, 1870.

MY DEAR COLLEAGUE: I received your cipher dispatch of yesterday at nine o'clock this morning. I deciphered it as soon as I could, and took a copy of it in person to the foreign office. The Prince de la Tour d'Auvergne being absent, I delivered it to the chief of cabinet.

I have also received your letter of last evening, with the dispatches inclosed. I think we made them out correctly from the cipher.

Very truly, &c.,

E. B. WASHBURNE.

Hon. J. L. MOTLEY, *&c.. &c., &c.*

No. 49.

Mr. Washburne to Mr. Fish.

No. 268.] LEGATION OF THE UNITED STATES,
Paris, August 26, 1870. (Received September 8.)

I have the honor to send you herewith a copy of the telegraphic dispatch of Mr. Motley in regard to the protest of Count Bismarck and the reply of the Prince de la Tour d'Auvergne, which carry with them their own explanation.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.]

LEGATION OF THE UNITED STATES,
Paris, August 23, 1870.

Copy of a telegraphic dispatch received by Mr. Washburne, minister of the United States, from Mr. Motley, United States minister at London, dated London, August 22, at 5.55 p. m., and delivered by Mr. Washburne to the Prince de la Tour d'Auvergne, Tuesday, August 23, 1870:

"E. B. WASHBURNE, *United States Minister, Paris:*

"'At the request of Count Bernstorff, the North German representative here, I send you the following message received by him from Count Bismarck this morning.'

"'Please say to the American minister, Mr. Washburne, in Paris: A man carrying a

ıg of truce, who arrived at the French outposts, accompanied by the ordinary trum-
ıter, in order to invite a proposal from surgeons in the interest of the French wounded,
as fired on, on the 19th instant, by all the French advance guards he met, so that he
as obliged to return, after his trumpeter had been severely wounded. We protest
ainst this breach of the international law, and will hold France responsible for the
te of the French wounded, for whom our medical help proves insufficient.'

"Count Bismarck says to Count Bernstorff:

"'I request you to say further to the American minister, Mr. Washburne, at Paris,
at, according to the experience we have hitherto had, the medical staff of the impe-
al French troops does not wear the badge provided by the convention of Geneva, and
at those badges, when worn by our medical men, are not respected by the French
oops, so that constantly, at the places for bandaging, the surgeons and wounded are
ot at. As the manner in which our men carrying flags of truce are treated, contrary
international law, prevents us from sending our complaints in the direct way, we
ıve no other means than to request, herewith, the American minister to state at Paris
ır formal protest against a breach of that international convention."

[Inclosure 2.—Translation.]

Prince de la Tour d'Auvergne to Mr. Washburne.

PARIS, *August* 23, 1870.

SIR: You have been kind enough to hand me, under to-day's date, copy of a telegram
hich has been addressed to you by Mr. Motley, at the request of Count de Bernsdorff,
presentative of the North German Confederation at London, which has for its object
bring to the knowledge of the government of the Emperor the reclamations of Count
ismarck against the treatment on the part of our troops which may have been in-
cted on flags of truce, ambulances, surgeons, and wounded.

The statements made in this telegram are too contrary to the traditions of the French
my to make it possible for me to accept them as exact. I have this day made them
own to the minister of war, and will hasten to communicate to you the explanations
hich he will not fail to give me, and which will, I doubt not, reduce to their just
lue the protestations of the Prussian Government.

Receive, sir, the assurances of the high consideration with which I have the honor
be your very humble and obedient servant,

PRINCE DE LA TOUR D'AUVERGNE.

Mr. WASHBURNE, *United States Minister at Paris.*

No. 50.

Mr. Washburne to Mr. Bancroft.

LEGATION OF THE UNITED STATES,
Paris, August 25, 1870.

MY DEAR COLLEAGUE: I have duly received your letters of the 19th
nd 20th instants, the one of the 20th containing a copy of the letter of
Ir. Thile to you on the subject of the use to be made of the credit
laced at my disposition for the assistance of the expelled Germans. I
ave had but very few applications for assistance outside of the North
erman Confederation, except from the subjects of Hesse-Darmstadt.
s I had no fund for these last-named subjects, and as their needs were
ressing, I ventured to take from the Prussian fund, and in fact treat-
ng the Darmstadt subjects precisely as the subjects of the North Ger-
nan Confederation. At the same time, I wrote to Count d'Enzenberg,
he late minister resident of Darmstadt at Paris, that he must advise
is government that I was furnishing aid to the subjects of that gov-
rnment to enable them to leave France. I presumed it would be all
ight. I have kept a strict account of how much I have paid to each
erson. The amount already sent me will probably be more than I shall
want.

I have exercised a good deal of care in furnishing assistance. I made arrangements with the railroads to take all persons I send at half-fare, third class. The arrangement we make with the parties we assist shows substantially what you suggest. We only give enough, in addition to what they may have, to enable them to reach the frontier. In reaching there they will be in a state of utter destitution, and their condition will appeal most powerfully to the generous sympathy of the Prussian Government. I have no regrets for the labors imposed upon me. I only wish I could have done more. It is a great pleasure for me to know that I have been able to do something to alleviate the sufferings and appease the anxiety of these poor people whose protection has been confided to me.

I inclose you a memorandum in regard to the remains of General Douay. All these French people will be exceedingly grateful to you for all your kindness in endeavoring to get information for them.

I am, &c.,

E. B. WASHBURNE.

Hon. GEO. BANCROFT, *&c., &c., &c.*

No. 51.

Mr. von Thile to Mr. Washburne.

[Translation.]

BERLIN, *August* 25, 1870.

SIR: According to a communication which Mr. Bancroft has made to me verbally, the French Government desires to have enter Prussia the relatives or the valets of certain prisoners of war, in order that they may not be deprived of the attention to which they have been accustomed. I hasten to inform you that no opposition is offered on our part to your giving to such persons passes or other documents proving their identity. It is hardly necessary to say that they cannot leave Prussia until after the conclusion of peace, and their correspondence will have to be submitted to the same inspection as that of the prisoners of war themselves.

Accept, sir, the assurance of my high consideration.

THILE.

To Mr. WASHBURNE,
Envoy Extraordinary and Minister Plenipotentiary of the United States of America, Paris.

No. 52.

Mr. Washburne to Mr. Bancroft.

LEGATION OF THE UNITED STATES,
Paris, August 27, 1870.

MY DEAR COLLEAGUE: You have done me the honor to communicate to me a translation of the letter of Mr. Thile to you, under date of the 20th instant, in which he transmits to me the thanks of the Royal Government for services I may have rendered to the subjects of the North

erman Confederation expelled from France, and for bringing under ıy protection the hotel of the North German legation. Will you have ıe kindness to say to Mr. Thile that I fully appreciate the compliment, nd am highly gratified to know that my conduct meets with the aproval of his government. I beg further that you will say that I have rought to my work only a sincere desire to faithfully do my duty under ɔmewhat difficult and embarrassing circumstances, and if I can only ccomplish my mission in a way satisfactory to the Royal Government nd to my own government, as well as in a manner acceptable to the 'rench Government, by whose assent I am permitted to act, I shall feel hat I am more than compensated for what I may have already accomlished and what I may do hereafter in this regard. I shall leave nothıg undone to fully discharge all the duties properly devolving upon me.

Believe me, &c.,

E. B. WASHBURNE.

Hon. GEORGE BANCROFT, *&c., &c., &c.*

No. 53.

Mr. Washburne to Mr. de Thile.

LEGATION OF THE UNITED STATES,
Paris, August 27, 1870.

SIR: I have the honor to acknowledge the receipt of your letter of he 24th instant, in relation to the restriction put upon the Germans exɔelled from France not to go by the frontier of Belgium. That restricion was at first imposed by the French Government, and a few passes vere issued with such restriction. But upon a representation of the ıardships and inconveniences of such a restriction, it was at once renoved, and persons holding my passes were permitted to leave France 'or whatever country they pleased. There was no intervention whatever by the Belgian Government, but, on the other hand, the Belgian Railroad has agreed to take all the expelled Germans at half-fare, the same as the Northern Railroad of France.

I have the honor to be, with great respect, your excellency's very obedient servant,

E. B. WASHBURNE.

Mr. THILE, *Under Secretary of Foreign Affairs, &c., &c., &c.*

No. 54.

Mr. Washburne to Mr. Bancroft.

LEGATION OF THE UNITED STATES,
Paris, August 30, 1870.

MY DEAR COLLEAGUE: You will see the sweeping character of the decree of General Trochu which I inclose herewith. It has brought, yesterday and to-day, an immense number of Germans to our legation. I took immediate steps to have the time extended for leaving, and the minister of the interior assurred me that no advantage should be taken of those who could not get away in the three days. As to the exceptions to be made of those who desired permission to remain, it was agreed that applications should be made to the prefect of police. Both Mr. Kern, the Swiss minister, and myself declined making any application whatever to General Trochu.

As the order covered the concierge of the Prussian legation, I went at once to see the Prince de la Tour d'Auvergne in regard to a permit for him to remain. The prince said that while he could give him such a permit, and would also try and give him protection, yet in his own interest he should advise him to leave; that the fact of his being a subject of the North German Confederation might invite hostility against the legation, &c. Under such circumstances, therefore, I have thought it best to tell him he had better go away. In the excited state of feeling here, I can well see that there might be danger in his remaining. I have directed Mr. McKean, the American who occupies the hotel, to get a trustworthy man to put in his place.

I am, very truly, your obedient servant,

E. B. WASHBURNE.

Hon. GEORGE BANCROFT, *&c., &c., &c.*

No. 55.

Mr. Washburne to Mr. Fish.

No. 269.] LEGATION OF THE UNITED STATES,
Paris, August 26, 1870. (Received September 8.)

SIR: We are still utterly in the dark here as to war news, and the greatest uneasiness begins to prevail among the Americans at the present time in Paris. Large numbers are leaving, not knowing what may take place. The proclamation of the governor of Paris, only placarded last night, and which I send herewith, has added to the excitement already existing. Our crowd of Germans had considerably decreased yesterday, but it is largely increased to-day on account of the proclamation of General Trochu.

I have not telegraphed you any news for several days, for I have had nothing sufficiently reliable to justify it.

I have, &c.,

E. B. WASHBURNE.

GOVERNOR OF PARIS—GENERAL ORDER.

[Inclosure.—Translation.]

The governor of Paris, in consideration of the law of August 9, 1849, on the state of siege; in consideration of the decree of the 7th instant, by which Paris was declared in a state of siege; in consideration of the seventy-fifth article of the decree of the 24th December, 1811, relating to the organization and service of the local staff, which decrees: That in every place in a state of siege, if the minister or the general of the army gives the orders, or if the troops of the enemy approach within three days' march of the place, the governor or commanding officer is forthwith, and without awaiting the state of siege, invested with the necessary authority—

First. To cause the useless mouths, the strangers, and the persons designated by the civil or military police, to leave. In consideration of the law of the 9th July, 1852, relating to the removal from the department of the Seine of persons who have undergone judicial punishment, vagrants, beggars, and others addicted to practices dangerous to persons and to property—

Resolved, That, 1st. Every individual without means of subsistence, whose presence at Paris would constitute a danger to both the public order and the security of persons and property, or who would give himself to actions of such a nature as to weaken or to trammel the measures for defense and for general security, is expelled from the capital. 2d. The infraction of the orders of expulsion shall be accused before the military tribunals.

GENERAL TROCHU.

PARIS, *August* 24, 1870.

No. 56.

Mr. Washburne to Mr. Fish.

ɔ. 270.] LEGATION OF THE UNITED STATES,
Paris, August 29, 1870. (Received September 14.)

SIR: The decree of General Trochu, governor of Paris, which I have e honor to send herewith, marked 1, appeared this morning in the ficial journal, and was placarded over the city last night. Being so reeping in its terms and so emphatic in its declarations, it of course eated a very great degree of excitement among the large number of ermans yet remaining in Paris. The legation was besieged at an early our by a large crowd of Germans, and although I had employed as any men as could work, yet the number was nearly as great at night it was in the morning. I felt it my duty to call and address myself the Prince de la Tour d'Auvergne in regard to both articles of the ecree; the first in regard to the very limited time allowed for departre, and the second in relation to the application for the special perission for "*séjour*" in Paris. In this matter I should state that I acted concert with Mr. Kern, the Swiss minister, protecting the Bavarians nd the Badois, a diplomat of wisdom, experience, and energy. We aw the minister of foreign affairs separately, and who explained matrs to each of us in the same way, but referring us to the minister of e interior, who was more particularly charged with the subject. Acordingly Mr. Kern and myself called on Mr. Chevereau at seven o'clock is evening. In the first place we called his attention to the short me allowed to the Germans to leave Paris, and that even if they were eady to go, it would be utterly impossible for us to furnish them with he requisite papers. In reply, Mr. Chevereau said that although three ays was the time named in the proclamation, yet no advantage would e taken of those who were unable to get away within that time.

In the second place, in regard to the permission to be obtained for a ojourn in Paris, we explained to him that we could not, in our diplomatic capacity, make any application whatever to General Trochu, and hat our dealings must be with the civil authorities; that if the terms f the proclamation were to be adhered to, we should be powerless to ender any aid to the parties with whose protection we had been charged. explained particularly to Mr. Chevereau the very large number of Gernans under my protection who had lived for a long series of years in Paris, and had vast interests at stake; that many of those persons were onnected in business with American citizens, and to compel them all o leave would be an incredible hardship, and would entail immense acrifices. The minister replied very promptly that that question had been just considered by the government, and that our applications could be addressed to the prefect of the police, who had been charged specially with the whole business. He told us to make applications for whoever we pleased, and that they would be considered without any delay, and that whenever we submitted an application of any party for permission to remain in Paris we might consider it as granted unless we had special notice of its rejection.

I have the honor to send you further a notice which appears in this morning's Journal Officiel, and marked 2. It is an invitation to all persons in Paris who are not in a condition "*de faire face à l'ennemi*" to leave Paris. In my interview to day with the Prince de la Tour d'Auvergne I asked him about this notice. He replied that while it was not to be construed as an *order* which would oblige Americans to

leave, yet under existing circumstances he thought it would be well for me to recommend my countrymen to get away as soon as they could, in their own interests. Everything shows that the French Government look upon a siege of Paris as probable, for it is making the most stupendous preparation in that direction. I have telegraphed you to that effect to-day in cipher, and also, looking to possibilities, I suggested whether you should not ask the Prussian Government to protect American property in Paris, in the event its army reached here. I need not tell you there is a very large amount of property owned by Americans in Paris, and I hope it will be respected by both sides as property of neutrals.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.]

The governor of Paris in view of the law of August 9, 1849, on the state of siege; in view of the imperial decree of August 7, 1870, by which Paris and the department of the Seine are declared in a state of siege; in view of article 75 of the decree of December 24, 1811, which invested the governor of a place, in a state of war, with the necessary authority to expel strangers; in view of the laws of November 18, 20, and December 3, 1869, relating to measures of police applicable to strangers; considering that in the interest of the national defense, and also in order to guarantee the security of persons belonging, by their nationality, to the countries at war with France, it is necessary to remove strangers—decrees as follows:

ARTICLE 1. Every person not a naturalized Frenchman, and belonging to a country actually at war with France, must leave Paris and the department of the Seine before the expiration of three days, and leave France or retire into one of the departments situated beyond the Loire.

ART. 2. Every foreigner coming within the provisions of the preceding injunction who shall not have conformed to it, and shall not have obtained a special permission to remain, emanating from the governor of Paris, will be arrested and delivered to the military tribunals to be judged according to law.

The governor of Paris,

TROCHU.

PARIS, *August* 28, 1870.

[Inclosure 2.]

NOTICE.

Considerable reserves destined for provisioning Paris have been made under the care of the administration. They increase every day. The prefect of the Seine thinks it his duty to request the inhabitants to provide themselves in advance, according to the measure of their wants and resources, with the different kinds of food capable of preservation and lasting.

The interest of the defense, even more than that of subsistence, requires that persons incapable of withstanding the enemy should remove themselves from Paris.

The counselor of state, general secretary performing the functions of prefect,

ALFRED BLANCHE.

No. 57.

Mr. Washburne to Mr. Fish.

No. 272.] LEGATION OF THE UNITED STATES,
Paris, August 31, 1870. (Received September 15.)

SIR: Referring to my dispatch No. 261, of August 17, I have the honor to inclose you an extract from the official journals, fixing the date of the commencement of the blockade of the North German coast at the 19th instead of the 15th of August.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.—Translation.]

[Extract from the Journal Officiel of August 30, 1870.]

The notification inserted in the Journal Officiel of the 25th of August relative to the blockade of the coast of the confederation of North Germany in the Baltic, has erroneously fixed the 15th of August as the commencement of the blockade. It is only from the 19th of August that the blockade has been really effectual.

No. 58.

Mr. Washburne to Mr. Motley.

LEGATION OF THE UNITED STATES,
Paris, September 1, 1870.

MY DEAR COLLEAGUE: By the mail of last night from London, I received your note of the 30th ultimo inclosing the dispatch of Count Bismarck to Count Bernstorff.

Please say to the latter that I have this morning transmitted the dispatch to the Prince de la Tour d'Auvergne, with a *note verbale.*

I am, &c.,

E. B. WASHBURNE.

Hon. JOHN L. MOTLEY,
&c., &c., &c.

No. 59.

Mr. Washburne to Mr. Fish.

No. 274.]

LEGATION OF THE UNITED STATES,
Paris, September 2, 1870. (Received September 15.)

I have the honor to inclose you herewith copies of telegraphic dispatches from Count Bismarck to Count Bernstorff, sent to me by Mr. Motley, to be by me transmitted to the French Government, together with my notes accompanying the same.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.]

Mr. Washburne to Prince de la Tour d'Auvergne.

LEGATION OF THE UNITED STATES,
Paris, August 28, 1870.

Mr. Washburne, minister of the United States, presents his respectful compliments to the Prince de la Tour d'Auvergne, and begs leave to inclose him herewith copies of two dispatches which have just been transmitted to him by Mr. Motley, the minister of the United States at London, and which explain themselves.

Count Bismarck to Count Bernstorff.

Palikao declares in the Corps Législatif that franc-tireurs must be considered as soldiers. I beg you will communicate the following to Mr. Washburne:

Only persons recognizable as soldiers at rifle-range can be considered and treated as such. Blue blouse is general national costume; the red cross on the arm is only to be discerned at a short distance, and can at every moment be removed and replaced; so that it becomes impossible for our troops to know the persons from whom they may expect hostilities and at whom they have to shoot. If persons who are not always, and at the necessary distance, recognizable as soldiers, kill or wound German soldiers, we can only have them tried by a court-martial.

Count Bismarck to Count Bernstorff.

Please announce once more to Mr. Washburne that Captain Rochous, who was sent by General Alvensleben to Toul with a flag of truce, has been repulsed by successive shots, and that a trumpeter accompanying, yesterday, another flag of truce to Verdun has been killed. We protest solemnly against these repeated violations of international law, and declare that we shall be henceforth in the impossibility of sending flags of truce to the French army.

[Inclosure 2.]

Mr. Washburne to Prince de la Tour d'Auvergne.

LEGATION OF THE UNITED STATES,
Paris, September 1, 1870.

Mr. Washburne, minister of the United States, presents his respectful compliments to his excellency the Prince de la Tour d'Auvergne, minister of foreign affairs, and begs to inclose him a dispatch, which he has just received from Mr. Motley, the minister of the United States in London, and which explains itself.

Count Bismarck to Count Bernstorff.

CLERMONT, *August* 29, 1870.

Will you kindly let the following be known to Mr. Washburne, which only now comes to my knowledge.

On the 15th instant General Von Bothmer sent Captain Hanfstangel with a flag of truce to the commandant of the Fortress Mucal. The surrender of the fortress was refused. Before the captain was out of shot's range he was shot at from the fortress, and was severely wounded. This is the fourth case of breach of international law coming to our knowledge.

No. 60.

Mr. Washburne to Mr. Fish.

No. 275.] LEGATION OF THE UNITED STATES,
Paris, September 2, 1870. (Received September 15.)

* * * * * * *

The greater part of the German population has left the city.

This legation has viséd passports and given safe-conducts for very nearly thirty thousand persons, subjects of the North German Confederation, expelled from France. We have given railroad-tickets to the Prussian frontier for eight thousand of these people, as well as small amounts of money to a much smaller number. From this statement you can form somewhat of an estimate of the amount of labor we have performed for the last few weeks, and the extra force I have had to employ to accomplish it. I shall, however, have the honor of writing you more fully on this subject at a future time.

My time is now a good deal taken up in looking after Germans who have been arrested and thrown into prison. The number is very great. My applications are promptly attended to, and thus far every man has been released for whom I have applied.

* * * * * * *

I have, &c.,

E. B. WASHBURNE.

No. 61.

[Telegram.]

Mr. Washburne to Mr. Glasgow.

LEGATION OF THE UNITED STATES,
Paris, September 3, 1870.

Send all very needy Germans to me at Paris, with a note of protection ven to each one. Pay fare third-class—half fare if possible—same as her roads take them for, and give a few francs to each very poor per-n. I send them direct to Germany. No authority to send to England.

WASHBURNE.

GLASGOW,
Consul, Havre.

No. 62.

[Telegram.]

Mr. Washburne to Mr. Glasgow.

PARIS, *September* 5, 1870.

Pay lowest class passage of each destitute German to England. Give ıch person a few francs. Telegraph me how many persons you send ıd to what place, in order that I may advise Prussian minister at Lon-ɔn.

WASHBURNE.

GLASGOW,
Consul, Havre.

No. 63.

Mr. Washburne to Mr. von Thile.

LEGATION OF THE UNITED STATES,
Paris, September 3, 1870.

SIR: Referring to my letter to you of the 31st ultimo, in relation to ıe case of Mr. Stahr, consul at Lille, I now have the honor to state hat, in view of the large interests of Mr. S., I thought proper to send a ɔecial messenger to look after them.

I therefore applied to Mr. Chevreau, the minister of the interior, and xplained the matter to him and told him what I proposed to do. He t once gave my messenger, Mr. McKean, an American gentleman, a etter of introduction to the prefect.

The report of Mr. McKean to me I send herewith. Mr. Stahr will be lad to know that his property and affairs are in as good condition as hey well can be under the circumstances.

I have, &c.,

E. B. WASHBURNE.

M. VON THILE,
Under Secretary of Foreign Affairs, &c.

No. 64.

Mr. von Thile to Mr. Washburne.

[Translation.]

BERLIN, *September* 8, 1870.

SIR: I have the honor to acknowledge the receipt of the letter of the 3d of this month, by which you kindly informed me of the condition of the affairs of Mr. Stahr, consul of Grand Ducal Saxony, at Lille. It appears, to my great satisfaction, that up to this time the property of Mr. Stahr has not been injured, and that measures have been taken to secure it, as far as possible, from danger. I have not delayed communicating this reassuring news to Mr. Stahr, that he may know all that you have kindly done for him, and that he may be able to make such arrangements as the state of things shall seem to him to require.

As to myself, there only remains the very agreeable duty of expressing to you the lively sense of gratitude I feel for the kind manner in which you have charged yourself with the interests of a subject of the North German Confederation, and the special care with which you have protected them.

It is with these sentiments, sir, that I seize this occasion to repeat to you the assurance of my high consideration.

THILE.

Mr. WASHBURNE,
Envoy Extraordinary and Minister Plenipotentiary of the United States of America, Paris.

No. 65.

Mr. Washburne to Mr. Bancroft.

LEGATION OF THE UNITED STATES,
Paris, September 9, 1870.

MY DEAR COLLEAGUE: I have yours, sending back the letter which was addressed to Captain Labord. Be assured that your great kindness in all these sad matters is fully appreciated.

In my last I spoke of my unofficial interview with Gambetta to get the Germans released from prison. The order was given to that effect the next day, and I have since been busy in getting the poor creatures away. I think now they are nearly all off.

The military order of Trochu was an absolute expulsion. I knew you rejoice with me at the overthrow of the dynasty and the proclamation of the republic in France. I pray now for an early peace, honorable and just to both countries.

Very truly, yours,

E. B. WASHBURNE.

Hon. GEO. BANCROFT, *&c., &c., &c.*

No. 66.

Mr. Washburne to Mr. Fish.

[By cable.]

SEPTEMBER 3, 1870.

FISH, *Washington:*

McMahon totally defeated. Capture of Sedan. Defeat of Bazaine before Metz. In Chamber Favre considered present government extinct; proposed military dictator. Unofficial dispatch to foreign minister that Emperor prisoner; another reports him escaped to Belgium.

WASHBURNE.

No. 67.

Mr. Washburne to the civil and military authorities of the North German Confederation.

LEGATION OF THE UNITED STATES,
Paris, September 4, 1870.

This is to request that full permission may be granted to Madame MacMahon, the wife of Marshal MacMahon, and to the Vicomte de Caraman, the brother of Madame MacMahon, and the Sister of Charity Madeleine, to pass all the military lines, in order to visit the marshal, and to express a hope that all proper facilities may be granted to accomplish this end.

In witness whereof I have hereunto set my hand and the seal of this legation at Paris, this 4th day of September, 1870.

E. B. WASHBURNE, *&c., &c., &c.*

No. 68.

Mr. Washburne to Mr. Fish.

[By cable.]

SEPTEMBER 5, 1870. (Received September 5.)

FISH, *Washington:*

Chamber met at midnight. Favre proposed dethronement of dynasty. Provisional government to be appointed by Chamber, and that the war shall be continued.

WASHBURNE, *Paris.*

No. 69.

Mr. Washburne to Mr. Fish.

[By cable.]

September 5, 1870. (Received September 5.)

FISH, *Washington:*

Republic proclaimed from Hôtel de Ville. People still hold possession Chambers. Deputies Favre, Gambetta, Simon, Picard, and others, provisional government. Rochefort liberated by people.

WASHBURNE, *Paris.*

No. 70.

Mr. Washburne to Mr. Fish.

[By cable.]

September 5, 1870. (Received September 5.)

FISH, *Washington:*

Republic proclaimed. Government of national defense announced this morning composed of deputies of Paris. Favre, minister of foreign affairs; Gambetta, interior; Picard, finance; Simon, public *instruction*; Cremieux, justice; Kératry, prefect of police; Arago, prefect of Seine; Glais-Bizon, director of telegraphs; Trochu, governor of Paris and minister of war. Paris quiet. Instruct me.

WASHBURNE.

No. 71.

Mr. Washburne to Mr. Fish.

[By cable.]

September 5, 1870. (Received September 7.)

FISH, *Washington:*

New government fully installed. Trochu President. Paris tranquil.

WASHBURNE, *Paris.*

No. 72.

Mr. Washburne to Mr. Fish.

No. 276.] LEGATION OF THE UNITED STATES,
Paris, September, 5 1870. (Received September 20.)

SIR: Since I had the honor of addressing you my last dispatch (No. 275) events have marched with gigantic strides. The news of the full extent of the catastrophe which befell the army of McMahon was not made public in Paris until about midnight on Saturday night last, though Palikao had, during the evening in the Chamber, given out news enough to prepare the people for almost anything.

In view of the emergency which had arisen, a session of the Corps Législatif was called for midnight on Saturday night, but the president did not take his chair until one o'clock on Sunday morning. The sitting is represented as having been solemn and agitated. M. Schneider came into the Chamber without the beating of the drum, which ordinarily announces his entry. The silence was death-like; but few of the deputies of the right were in their seats, though the members of the left were almost all present. The floor was assigned to M. Palikao, the minister of war, who said that, in the presence of the serious news which had been received, he deemed it better not to take any action at that time, but to postpone everything until twelve o'clock of that day—it was now Sunday morning. Jules Favre then rose and said that he should not propose any serious opposition to that motion, but he took ask leave to give notice of a proposition which he had to submit, and

hich he would discuss at the meeting at twelve o'clock. The proposi-
on was as follows:

1. Louis Napoleon Bonaparte and his dynasty are declared fallen from the powers
hich the constitution had confided to them.
2. There shall be named by the legislative body a commission vested with powers
d composed of * * *. You will designate yourself the number of members who
all compose this commission, who will make it their first duty to repel the invasion
d drive the enemy from the territory.
3. M. Trochu shall be maintained in his functions of governor-general of the city of
aris.

After a session of ten minutes only the Chamber adjourned.

As this sitting of Sunday was likely to become historic, I went early
the Chamber. I found but a few troops stationed in the neighborhood,
nd there was not a large number of people in the vicinity. Indeed,
was quite surprised at the tranquillity which seemed everywhere to
eign in the quarter of the Palais Bourbon, which is the name of the
uilding occupied by the Corps Législatif. Taking my seat in the diplo-
natic tribune at quarter before twelve, there was not a single person in
he hall of the deputies, though the galleries were all well filled. In-
tead of the session opening at noon, it was precisely one o'clock when M.
chneider entered and took the chair of the presidency. The deputies
hen came rapidly into the hall. Count Palikao was the first of the
inisters to come in, and he was soon followed by the Prince de la
our d'Auvergne, Chevereau, and Brame. All the other ministers took
heir places on the ministerial benches soon after. The members of the
eft came in almost simultaneously, Gambetta hurrying along among the
irst, haggard with excitement. The venerable Raspail takes his seat.
arnier-Pagès hurries across the area in front of the president's chair
n a state of intense agitation. Arago, Simon, Picard, Ferry, Estanchin-
uyot-Montpayvon enter and take their seats. Thiers, the little brisk
nd vigorous old man, walks quietly to his place. * * * And now
he president sits in his chair without calling the Chamber to order, the
nembers become impatient and clamorous; there is loud talk and violent
esticulation. At precisely twenty minutes after one o'clock M. Schnei-
er swings his bell, and the gruff voice of the huissier is heard above
he din, "*Silence, messieurs! s'il vous plaît.*" After some unimportant
proceedings the floor is assigned to M. Palikao, the minister of war, who
proposes the following project of law:

ART. 1. A council of government and of national defense is instituted. This coun-
cil is composed of five members. Each member of this council is named by the abso-
lute majority of the Corps Législatif.
2. The ministers are named under the countersign of the members of this council.
3. The General Count Palikao is named lieutenant-general of this council.
Done in a council of ministers the 4th of September, 1870.
For the Emperor, and in virtue of the powers which he has confided to us.
EUGÈNIE.

M. Thiers then submitted another proposition, as follows:

Considering the circumstances, the Chamber names a commission of government and
national defense. A "constituante" will be convoked as soon as the circumstances
will allow.

The proposition of Favre being already before the Chamber, "urgency"
was voted on these three propositions, and they were sent to a commit-
tee for examination under the rules of the Chamber. At 1.40 o'clock the
sitting was suspended to await the report of the committee, and all the
members immediately left the hall. As it was supposed that the sit-
ting would not be resumed for an hour or more, I left the diplomatic
gallery and descended into the court of the building facing upon the

street which runs parallel with the Seine. Here I found a good many people who had been admitted by virtue of tickets. The street in front of the building had been kept quite clear by the military, though there was an enormous multitude of the national guard and the people on the Place de la Concorde, on the opposite side of the river. The Pont de la Concorde seemed to be sufficiently guarded by the military to prevent their crossing over. All at once I saw quite a number of people on the steps of the Palais Bourbon, and soon they commenced to raise loud cries of "*Vive la république!*" "*Déchéance!*" "*Vive la France!*" At this moment I was called away by the messenger of the legation, who brought me an urgent message from Madame McMahon, who wanted a safe-conduct from me, to enable her to pass the Prussian lines to visit her wounded husband at Sedan. In company with Mr. Eustis I stepped into an antechamber to prepare the proper document, and had but just taken my seat at a table to write, when the cry was raised that the people had invaded the building. It seemed but a moment before they were passing into the part where I was. It being impossible to finish the requisite paper, under these circumstances, Mr. Eustis and myself made our way into the court-yard. There was presented a most extraordinary spectacle. A part of a regiment of the line had been brought hurriedly into the yard, had formed across it, and were loading their muskets. Behind them and in the street, and rushing through the gates and up the front steps of the building, was a vast mass of excited people and the national guard, who had fraternized—the guards having their muskets butt-end upward as a token of friendship. There was evidently collusion between the people who were on the steps of the Palais Bourbon and the people and National Guards in the Place de la Concorde, on the other side of the river, for it was upon the signal of the people on the steps that the guard and the people broke through the military force that was holding the bridge. As the crowd mounted the steps of the Palais Bourbon it was received with terrific cheers and with shouts of "*Vive la république!*" and "*Déchéance!*"

Making our way into the street, Mr. Eustis and myself managed to pass through the crowd and to reach the building of the Agricultural Club, in the immediate neighborhood, and from the balcony of which we could see all that was going on. And now the soldiers of the guard, many of them with their hats on the ends of their muskets, accompanied by an indiscriminate mass of men, women, and children, poured over the Pont de la Concorde and filled the entire space, all, in one grand fraternization, singing the Marseillaise and shouting, "*Vive la république!*" The Municipal Guard, with its shining helmets and brilliant uniforms, was forced back, inch by inch, before the people, until, finally, all military authority became utterly powerless. During this time the National Guard and the people had invaded the Hall of the Deputies, which they found vacant. M. Schneider and about a dozen of the members rushed in. The president in vain made appeals for order, and finally covered himself by putting on his hat, according to immemorable usage of the French assemblies under such circumstances. Gambetta addressed a few energetic words to the invaders, and, a little order being restored, quite a number of deputies entered the hall. But at three o'clock irruption into the Chamber took place. Jules Favre then ascended the tribune and was listened to for a moment. "Let there be no scenes of violence," he said; "let us reserve our arms for the enemy, and fight to the last; at this moment union is necessary, and for that reason we do not proclaim the republic." The president now left his seat, and, as it turns out, for the last time. The irruption into the

hamber continued. The floor and the seats of the deputies, on which few members of the left only remained, were filled with a motley crowd ı blouses and in coarse woolen shirts, or in the uniform of the National uard or the Guard Mobile. They wore caps and kepis of all colors and hapes, and carried muskets with their muzzles ornamented with sprigs f green leaves. The tumult became indescribable, and some of the ıvaders seized on the pens and paper of the deputies and commenced riting letters; while different persons were going up to the president's hair and ringing his bell continually. The crowd in the hall now deanded *déchéance* of the Emperor, which was declared, and then it was roposed to go to the Hôtel de Ville and proclaim the republic. The cry ras therefore raised, "*À l'Hôtel de Ville*," mingled with other cries, "*Cherchez Rochefort*," &c., and then this vast multitude commenced noving away from the Palais Bourbon.

The crowd having soon sufficiently dispersed, we were enabled to nake our way back again to the Corps Législatif, and to enter again the liplomatic tribune. The hall was filled with dust, and a rough-looking nan was in the president's chair, surrounded by a number of men still nore rough in appearance. The soldiers and the people were occupyng the seats of the deputies, writing letters, looking over documents, ınd talking and laughing, all in the best humor. In the hall at this time I recognized Garnier-Pagès, Raspail, and a few other members of the left.

Leaving the Chamber, we went at once to the Hôtel de Ville. The number of the people assembled there was enormous, and the same fraternization existed between them and the National Guard as elsewhere.

The building had been invaded by the people, and all the windows fronting on the square were filled with rough and dirty-looking men and boys. Soon a terrific shout went up; Rochefort was being drawn in a cab by the multitude through the crowd. He was ghastly pale; he stood up in the vehicle, covered with sashes of red, white, and blue, and waving his hat in answer to the acclamations. As he was hauled slowly through the multitude to the main door of the Hôtel de Ville, the delirium seemed to have reached its height, and such frantic acclamations I never before heard. At precisely four o'clock and forty-five minutes in the afternoon, by the great clock in the tower of the Hôtel de Ville, at one of the windows appeared Gambetta; a little behind him stood Jules Favre and Emanuel Arajo; and then and there, on that historic spot, Gambetta proclaimed the republic.

This proclamation was received by every possible demonstration of enthusiasm. Lists were then thrown out of the window containing the names of the members of the provisional government. Ten minutes afterward Raspail and Rochefort appeared at another window and embraced each other, while the crowd loudly applauded them. During this time the public were occupying the Tuileries. Sixty thousand human beings had rolled toward the palace, completely leveling all obstacles; the vestibule was invaded, and in the court-yard, on the side of the Place du Carrousel, were to be seen soldiers of every arm, who, in the presence of the people, removed the cartridges from their guns, and who were greeted by cries, "Long live the nation!" "Down with the Bonapartes!" "To Berlin!" &c. During all this time there was no pillage, no havoc, no destruction of property, and the crowd soon retired, leaving the palace under the protection of the National Guard. At the Hôtel de Ville some little damage was done, but nothing to any great extent. Some discussion was raised about the changing of the flag, but Gambetta declared that the tri-color was the flag of 1792 and '93, and that under it France had been and would yet be led to victory.

From the Hôtel de Ville we went back to the Chamber of Deputies, to find it still in possession of the people. From there I returned to my legation, which I reached at 6.30 o'clock. At 8 o'clock I returned to the Corps Législatif, but on my arrival there I found everything closed and the lights extinguished. The doors leading to the hall of the Deputies had been shut, and seals put upon them. I then drove through some parts of the city, and found everything remarkably quiet. The day had been pleasant, and the night was beautiful beyond description. After making a call upon Lord Lyons, I returned to my lodgings to ponder over the events of the day to become memorable in history. In a few brief hours of a Sabbath day I had seen a dynasty fall and a republic proclaimed, and all without the shedding of one drop of blood.

I have, &c.,

E. B. WASHBURNE.

No. 73.

Mr. Washburne to Mr. Fish.

No. 283.] LEGATION OF THE UNITED STATES,
Paris, September 9, 1870. (Received September 22.)

SIR: * * * * * * *

I telegraphed you of the results and condition of things here on Monday, and asked for instructions, though not doubting what would be the prompt action of our government. I received replies from Mr. Davis Wednesday morning. It was only Tuesday night that I received the official notice from M. Jules Favre of the change of the government, and advising me that the department of foreign affairs had been confided to him. The next morning (Wednesday) I sent a verbal message to the foreign office to ascertain when it would be agreeable for the minister to receive me, as I had an important communication to make from my government. I received a reply that the minister would see me at any time between 2 and 6 o'clock in the afternoon. In the mean time I prepared the letter to M. Jules Favre which I send herewith, marked No. 1, and at 2.30 p. m., accompanied by the first secretary of legation, Colonel Wickham Hoffman, I took it in person to him. He received us with the utmost cordiality. After reading my letter he shook me very warmly by the hand, and thanked me for the communication, saying he would be very glad if I would telegraph to my government to express his gratitude and profound emotions. He then briefly explained the situation in which the government of the national defense found itself. He said that he was aware that the United States had hitherto refrained from taking any part whatever in the complications of European governments; however, he did not know but, under present circumstances, it might feel like tendering its good offices, and he wished to know if I should feel myself at liberty to take any action in that direction. I replied that I should not feel authorized to act in so grave a crisis without instructions from my government, particularly as I could advise with it on the subject by telegraph. On my return to the legation I telegraphed to you as follows, part of the dispatch being in cipher:

PARIS, *September* 7, 1870.

Have recognized republic. Favre expressed gratitude and profound emotion. Requests United States to join other powers in intervention for peace. Hopes I may be instructed immediately.

About 2 o'clock p. m. yesterday M. Jules Favre called upon me in rson to thank my government in the name of that of the national fense, as well as in his own behalf, for its prompt recognition of the public and the tender of its felicitations. He again desired that I ould transmit to the President and Cabinet at Washington the pro- und acknowledgments of the government of the national defense. I en communicated the dispatch of Mr. Davis in relation to his conver- tion with M. Berthemy, which I had just received. M. Favre smiled the allusion to the attempt of the Emperor to found a monarchy on e southern borders, and replied that nothing could be more satisfac- ry than Mr. Davis's telegram; it was all they could desire. He then id he had answered my letter of the day before, and that it could be nt to me in the course of the afternoon. It was duly received, and I ve the honor to send herewith a copy of it in the original French, gether with a translation thereof.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.]

Mr. Washburne to Mr. Favre.

LEGATION OF THE UNITED STATES,
Paris, September 7, 1870.

SIR: I have the honor to state that your communication of the 5th instant was re- ived at this legation at 11 o'clock last night, in which you inform me that the gov- nment of the national defense has, by a resolution of its members, confided to you e department of foreign affairs.

It affords me great pleasure to advise you that I have this morning received a tele- aphic dispatch from my government instructing me to recognize the government of e national defense as the *government of France.*

I am, therefore, ready to put myself in communication with that government, and, ider your permission, to transact all such business as may properly appertain to the nctions with which I am charged.

In making this communication to your excellency I beg to tender to yourself and to e members of the government of the national defense the felicitations of the gov- nment and the people of the United States. They will have learned with enthusi- m of the proclamation of a *republic in France*, accomplished without the shedding of e drop of blood, and they will associate themselves in heart and sympathy with that eat movement, confident in the hope of the most beneficial results to the French ople and to mankind.

Enjoying the untold and immeasurable blessings of a republican form of govern- ent for nearly a century, the people of the United States can but regard with pro- undest interest the efforts of the French people, to whom they are bound by the ties f a traditional friendship, to obtain such free institutions as will secure to them and their posterity the inalienable rights of "life, liberty, and the pursuit of happiness."

conclusion, I desire to say to your excellency that I congratulate myself that I am hold relations with the government of the national defense through a gentleman so istinguished as your excellency, and one so well known in my own country for his igh character and his long and devoted services in the cause of human liberty and ee government.

I take this occasion to assure your excellency that I have the honor to be, with great spect, your obedient servant,

E. B. WASHBURNE.

His Excellency JULES FAVRE,
Minister of Foreign Affairs.

[Inclosure 2.—Translation.]

Mr. Favre to Mr. Washburne.

PARIS, *September* 8, 1870.

SIR: I look upon it as a happy augury for the French Republic that it has received s its first diplomatic support the recognition of the Government of the United States.

No one can better remind us in words, both just and noble, of the inappreciable benefits of a republican government than the representative of a people which has given to the world the salutary example of absolute liberty.

You have founded your wise and powerful institutions upon independence and upon civic virtue, and notwithstanding the terrible trials sustained by you, you have preserved with an unshaken firmness your faith in that grand principle of liberty, from which naturally spring dignity, morality, and prosperity.

Nations, masters of their own destinies, should strive to follow in your footsteps. They cannot be truly free unless they are devoted, fearless, moderate; taking for their watchword the love of labor and respect for the right of all. This is the programme of the new-born Government of France, springing from the painful crisis provoked by the follies of despotism, but at the hour of its birth it can have no other thought than to save the country from the enemy. Here, too, it meets the example of your courage and your perseverance.

You have sustained a gigantic contest, and you have conquered. Strong in the justice of our cause, rejecting all lust of conquest, desiring only our independence and our liberty, we have firm hope of success. In the accomplishment of this task we count on the aid of all men of heart, and of all governments interested in the triumph of peace. The adhesion of the Cabinet of Washington would alone give us this confidence. The members of the government beg me to communicate to you all their gratitude for it, and to request you to transmit its expression to your government.

For my part I am happy and proud that fortune has permitted me to be the link of union between two peoples bound together by so many glorious memories, and henceforward by so many noble hopes, and I thank you for having, with so great kindness toward myself, expressed all which I feel toward you, as well as my desire to strengthen more and more the relations of affectionate esteem which should unite us forever.

Accept the assurances of the high consideration with which I have the honor to be, sir, your humble and obedient servant,

JULES FAVRE.

Mr. WASHBURNE,
Minister of the United States.

No. 74.

Mr. Washburne to Mr. Fish.

No. 284.] LEGATION OF THE UNITED STATES,
Paris, September 9, 1870. (Received September 22, 1870.)

SIR: At about 4 o'clock yesterday afternoon a large crowd of French people came to the legation, bearing the French and American flags, repeating the cries, "Vive l'Amérique!" "Vive la France!" A delegation, composed of very respectable gentlemen, waited upon me in my private room and read a short address, begging that I would transmit to my government the thanks of a great number of French citizens for the promptness and cordiality with which it had recognized the French republic. I beg to transmit you a copy of the address to me and my response.

I have, &c.,

E. B. WASHBURNE.

[Translation.]

LÉGATION DES ETAT UNIS,
Paris, le 8 *Septembre*, 1870—4 p. m.

We come in the name of a large number of French citizens, certain that we shall be approved and followed by the whole nation, to beg you to present our thanks to your government for the spontaneity with which it answered to the notification of our French republic. To you, sir, reverts a large part of our thanks for the gracious words which your heart dictated in communicating to us the recognition by your government. The French people will long remember the excellent words of the American minister. We did not expect less of this great and generous nation, whose aspirations and principles have always been in communion with the ideas of France. America and France are

sters, sisters as republics, that is to say, sisters in liberty. The ocean which separates us is less deep than the sentiments which unite us.

GENTLEMEN: On behalf of my government I thank you for this demonstration. I shall take pleasure in transmitting the thanks which you have so eloquently expressed for the action which the Government of the United States has taken in recognizing the new republic of France. In my communication, to which you so kindly allude, I only expressed the sentiments of the President and of the people of the United States. The American people feel the greatest interest in the grand movement which has just been inaugurated in France, and will indulge in the most fervent wishes for its success, and for the happiness and prosperity of the French people. Living themselves under a republican form of government, they know how to appreciate its blessings, and to-day, with warm hearts and eloquent words, they felicitate their ancient ally in the accomplishment of that peaceful and bloodless revolution which must challenge the profound interest of all lovers of liberty throughout the world.

No. 75.

Mr. Washburne to Mr. Fish.

No. 285.] LEGATION OF THE UNITED STATES,
Paris, September 9, 1870. (Received September 22.)

SIR: I have the honor to inclose you herewith the proclamation of the government of the national defense, together with certain decrees issued yesterday, and appearing in the official journal this morning. You will perceive that an election is ordered for the 16th proximo for members of a national constituent assembly, to consist of one hundred and fifty delegates.

I have, &c.,

E. B. WASHBURNE.

[Translation.]

The Government of the national defense to the French people:

FRENCHMEN: In proclaiming, four days since, the government of the national defense, we have ourselves defined our mission. Power lay prostrate; that which commenced by an attempt finished by a desertion. We have only picked up the government which escaped from impotent hands. But Europe needs to be enlightened; she needs to know, by irrefutable proof, that the country is with us. The invader must encounter upon his route not only the obstacle of an immense city resolved to perish rather than surrender, but a whole people, moreover, organized, represented, an assembly, in fine, which can carry into every place, in spite of every disaster, the living soul of the country. Therefore, the government of the national defense decrees—

ARTICLE I. The electoral colleges are convoked for Sunday, the 16th of October, in order to elect a constituent national assembly.

ARTICLE II. The elections will take place on the revision of the list, conformably to the law of the 15th of March, 1849.

ARTICLE III. The number of the members of the constituent assembly will be seven hundred.

ARTICLE IV. The minister of the interior is charged with the execution of this decree.

Done at the Hotel de Ville of Paris, the 8th of September, 1870.

General TROCHU.
EMMANUEL ARAGO.
CRÉMIEUX.
JULES FAVRE.
JULES FERRY.
GAMBETTA.
GARNIER-PAGÈS.
GLAIS-BIZOIN.
PELLETAN.
E. PICARD.
ROCHEFORT.
JULES SIMON.

The minister of war, General LE FLO.
The minister *ad interim* of marine and the colonies,
Rear-Admiral DE DOMP PIERRE D'HORNOY.
The minister of agriculture and commerce, M. MAGNIN, former deputy.
The minister of public works, M. DORIAN.

No. 76.

Mr. Washburne to Mr. Bancroft.

LEGATION OF THE UNITED STATES,
Paris, September 16, 1870.

MY DEAR COLLEAGUE: After great exertions, I have at last got away all the expelled Germans with the exception of the sick, and occasionally a stray child. I have still some funds to meet emergencies.

I send this via London and it may perhaps be the last letter I may be able to send for some time. I see they telegraph all sorts of things from Berlin, with which your name is connected, and it may be so from here. I see the newspapers are putting all sorts of things into my mouth, which I have never uttered, but there is no use in attempting to deny them.

I am, &c.,

E. B. WASHBURNE.

Hon. GEO. BANCROFT, *&c., &c., &c.*

No. 77.

Mr. Washburne to Mr. Motley.

LEGATION OF THE UNITED STATES,
Paris, September 10, 1870.

MY DEAR COLLEAGUE: I have your note of yesterday.

As soon as the regular communication between the two cities is interrupted, I shall arrange with Mr. Stevens, our dispatch agent in London, in regard to communicating with me, and when you have anything to send you will please send to him.

I felt very much obliged to you for the dispatches you were kind enough to send me. Whenever you have anything in the future which is important, and which we are not likely to have here, I will thank you to communicate by telegraph.

Of course you keep fully posted in regard to the wonderful events here. The peace and tranquillity of Paris is wonderful. But the Prussians advance, and what next?

Very truly, your friend,

E. B. WASHBURNE.

Hon. J. L. MOTLEY, *&c., &c., &c.*

No. 78.

Mr. Washburne to Mr. Fish.

[By cable.]

PARIS, *September* 12, 1870. (Received September 12, 1870.)

Government requests me to use my good offices, unofficially, and simply as a citizen, to hold intercourse with Prussian government. Have declined until I can hear from you. Immediate answer important.

I have, &c.,

WASHBURNE.

No. 79.

Mr. Washburne to Mr. Fish.

No. 286.] LEGATION OF THE UNITED STATES,
Paris, September 13, 1870. (Received September 29.)

SIR: Late on Sunday evening last a gentleman, having intimate relations with the government of the national defense, called upon me at my residence to know if I would not unofficially, and simply as a private individual, put myself in communication with the Prussian government, for the purpose of ascertaining its views in regard to peace. I told him I did not see how I could draw a line of demarkation between my unofficial and official character in a matter of that kind, and that I would not presume to take a step of that importance without instructions from my government. I said to him further, however, that if the government here would intimate its wishes in that respect, I would put myself at once in telegraphic communication with you.

Early yesterday morning I received a note from M. Jules Favre, thanking me for my offer to communicate with you, and expressing a hope that I might obtain your authorization to take the step indicated. I therefore telegraphed you at noon yesterday, and received your reply at 10 o'clock last night. On coming to my legation at 10 o'clock this morning, I found M. Jules Favre awaiting me to ascertain the character of the dispatch I had received from you. I read it to him and explained to him fully how our government stood in the matter. While he seemed to appreciate our position, he was evidently a good deal disappointed, and was surprised to learn of the action of the Prussian Government, as communicated by Mr. Bancroft, in rejecting intervention. On leaving, he thanked me cordially for what I had done, and said he hoped that while our government could not intervene officially, it would give the new republic of France its moral support.

I have, &c.,

E. B. WASHBURNE.

No. 80.

Mr. Washburne to Mr. Fish.

No. 287.] LEGATION OF THE UNITED STATES,
Paris, September 13, 1870. (Received September 29.)

SIR: Contrary to the first notice, the government of the national defense has determined to remain in Paris, the minister of justice, M. Crémieux, only going away, and he goes to Tours. I intend, therefore, to remain at my post here, at least until circumstances shall make it my duty to go away.

* * * * * * *

I have, &c., E. B. WASHBURNE.

No. 81.

Mr. Washburne to Mr. Fish.

[By cable.]

PARIS, *September* 14, 1870. (Received September 14.)

Paris making stupendous preparations for defense. Three hundred

thousand soldiers in city. Slight hopes of negotiations through England.

WASHBURNE.

No. 82.

Mr. Washburne to Mr. Fish.

No. 294.] LEGATION OF THE UNITED STATES,
Paris, September 20, 1870. (Received October 5.)

SIR: I am making up a small dispatch to send to London by a gentleman who leaves at noon to-day. He may get through or he may not. All communication with Paris was cut yesterday morning, both by rail and by telegraph. As you will have seen, several members of the diplomatic body have already left and gone to Tours. They are, Lord Lyons, Prince Metternich, Mr. Nigra (the Italian minister), and the Turkish ambassador. They left without any consultation with the other members of the corps.

* * * * * * *

I have, &c.,

E. B. WASHBURNE.

No. 83.

Mr. Washburne to Mr. Fish.

No. 295.] LEGATION OF THE UNITED STATES,
Paris, September 21, 1870. (Received October 18.)

I have the honor to inclose you herewith a correspondence I have had with some German citizens of the United States, in relation to the protection afforded them by American passports, and which explains itself.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.]

Messrs. Hecht, Held, and Kayser to Mr. Washburne.

DIEPPE, *August* 29, 1870.

DEAR SIR: Learning that a proclamation is issued by General Trochu expelling from Paris, as well as from France, all persons of German birth, or born in such country, at present at war with France, we, the undersigned, naturalized citizens of the United States, of German birth, but duly furnished with a valid passport, beg your excellency to inform them whether the said proclamation applies to them or prevents their temporary sojourn here or in any other part of France.

Your kind reply, per return mail, will very much oblige and relieve your very obedient servants,

B. HECHT.
MARK HELD.
HENRY KAYSER.

Hon. E. B. WASHBURNE,
Minister of the United States to France.

P. S.—Please telegraph your reply to the undersigned, for which we beg you to find inclosed stamps.

B. HECHT,
Hotel du Rhine, Dieppe.

[Inclosure 2.]

Mr. Washburne to Messrs. Hecht, Held, and Kayser.

PARIS, *August* 31, 1870.

GENTLEMEN: I have this morning received your letter of the 29th instant.

I shall immediately telegraph you that the order of General Trochu does not include naturalized citizens of the United States of German birth. *Such persons are citizens of the United States, and all proper protection will be extended to them, under all circumstances and at all hazards.*

I have the honor to be, very respectfully, your obedient servant,

E. B. WASHBURNE.

Messrs. HECHT, HELD, and KAYSER, *Dieppe, France.*

No. 84.

[Translation.]

NOTE VERBALE.

BERLIN, *September* 23, 1870. (Received November 20.)

The department of foreign affairs has the honor to inform the legation of the United States of America in France, in reply to the *note verbale* of the 24th of the past month, that, according to intelligence received from the minister of war, the French general, Abel Douay, killed at the battle of Woerth, was buried the next day in the cemetery of Wissemburg, and that his body was not buried on a farm.

To the LEGATION OF THE UNITED STATES OF AMERICA *in France.*

No. 85.

CIRCULAR TO THE FOREIGN REPRESENTATIVES.

BERLIN, *September* 26, 1870.

Since the actual government in France have declined the armistice and made Paris the theater of war, and since a recognized government does not exist in Paris, and the *de facto* government is said to have been transferred to Tours, the undersigned has the honor to inform you that security of intercourse to, from, and in Paris exists but proportionally with military events.

The undersigned avails himself, &c.

VON THILE.

No. 86.

Mr. Washburne to Mr. Fish.

No. 296.]

LEGATION OF THE UNITED STATES,
Paris, September 26, 1870. (Received October 19.)

SIR: I have the honor to inclose you herewith the proceedings of a meeting of the diplomatic corps, as drawn up by my private secretary, and which fully explain themselves.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.]

MEETING OF THE DIPLOMATIC CORPS.

A meeting of the diplomatic corps having been convoked by the Pope's nuncio, the *doyen* of the corps, some twenty-two members of the body met at 11 o'clock a. m., Friday, September 23, 1870, at the residence of the nuncio, No. 102 St. Dominique, St. Germain, Paris.

The nuncio stated his reasons for convoking the body. Their present position as diplomatic representatives was comparatively a useless one, as their communications were now cut off with their various governments. He considered it proper that they should consult together and decide—

First. Whether the time had come when it was proper for them to leave Paris.

Secondly. Whether they would act together, or act separately.

Thirdly. If it should be decided not to leave at the present time, that it should be determined what steps were to be taken to send and receive dispatches through the military lines.

The nuncio thought the time had not yet arrived for the corps to leave. He thought it best for the members to act collectively, and he hoped measures would be taken so that they could communicate with their governments. He concluded by asking a general expression of opinion.

Mr. Kern, the Swiss minister, expressed a decided opinion that it was not proper for the body to leave now. The time for leaving would be, according to diplomatic usage, when the notice of bombardment had been received. He had thought strange of certain members of the corps leaving without notice or consultation with their colleagues. He thought it was more dignified to remain and act collectively. He wished the nuncio to take upon himself to communicate with the minister of foreign affairs and obtain all information possible in relation to communicating through the military lines, and to arrange for egress, if it should become necessary, of the diplomatic corps.

After a few observations of Baron de Zuylen de Nyevelt, envoy extraordinary and minister plenipotentiary of Holland, and by Baron Beyens, envoy extraordinary and minister plenipotentiary of Belgium, Mr. Washburne remarked that he fully agreed with the opinions expressed by his colleagues who had spoken. He was obliged to the nuncio, who had taken the trouble to convoke the body, for, in the circumstances that existed, he considered it important that they should act in concert. He did not consider that the time had come for the diplomatic corps to leave, for he thought they should stay as long as possible, not only for the dignity of their own governments, but for the protection of such of their countrymen as might yet be in Paris. For himself, he wished to give to the government of the national defense such consideration as was due to it as a government recognized by the United States. He thought steps should be taken immediately to open communication through the lines for the dispatches of the diplomatic body, and that as soon as anything was accomplished, another meeting should be convoked. It would be unnecessary at the present meeting to take any steps in relation to going out of the city, as the emergency had not arisen to render it necessary to go.

After further and informal expression of opinions, the nuncio consented to accept the mission confided to him, and he would reconvene the body at an early day to report as to what had been done.

The meeting then separated.

No. 87.

Mr. Washburne to Mr. Fish.

No. 297.] LEGATION OF THE UNITED STATES,
Paris, September 30, 1870. (Received October 18.)

SIR: I have the honor to send you herewith copies of a correspondence between the consuls general and consuls of Southern and Central America and myself (including a letter from the minister of foreign affairs), in relation to my according the protection of the Government of the United States to the arms, flags, residences, &c., of their respective consulates.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.—Translation.]

Consuls-General and Consuls to Mr. Washburne.

PARIS, *September* 22, 1870.

MINISTER: The undersigned, E. Tibergheim Ackerman, consul-general of the Republic of Uruguay; Jules Thirion, of the Dominican Republic; Gabriel de Lurcy, consul-general of the republic of Costa Rica; B. Fourguet, consul-general of the republic of Ecuador; Francisco Fernandez Rodella, consul-general of the republic of Chili; Ludovic Janré, consul of the republic of Paraguay; Eugène Thirion, consul of the republic of the United States of Venezuela, considering that they are clothed with consular functions by Southern and Central American republics, who have no accredited diplomatic representatives in Europe, or whose chiefs of legation are absent from Paris; considering that, in the present grave circumstances and the possibility of the occupation of the city of Paris by the Prussian armies, who may attack the persons and property of neutrals whose governments have treaties of friendship and commerce with Prussia or with the German states at war with France; considering, finally, that the undersigned consular officers do not find themselves sufficiently protected, inasmuch as their isolated or collective action toward the Prussian government is deprived of that diplomatic character and sanction which can alone insure its efficiency; for these motives the undersigned, invoking the sentiments of union and fraternity which should unite states having republican institutions in common, have the honor to pray you, sir, in the name of the law of nations, of justice, and of humanity, to take under the official protection of the United States of America the chanceries of the above-mentioned republics.

The undersigned hope, sir, that in case of attack or the occupation of Paris, you will kindly interpose your good offices diplomatically with the Prussian headquarters, and take such measures as you may judge proper that the Prussian troops may be obliged to respect the arms, flags, residences, persons, and families of the undersigned, as well as their fellow-citizens, respectively, who may seek shelter with them, by covering in this manner the undersigned and the interests they represent with the powerful intervention of the United States Government.

It is worthy of a great power like the American nation to lend its protecting aid to sister and friendly republics who have not yet acquired the necessary development to make right stronger than force in Europe.

Such an act of good will on your part, sir, solicited by the undersigned, is perfectly legitimate, in view of events and of the present position.

It will be received gratefully by the governments of the undersigned, and will constitute a debt of gratitude which can only draw closer the bonds of active and cordial sympathy which bind them to the glorious republic founded by Washington.

The undersigned beg you, sir, to kindly receive the assurances of their highest consideration and of their profound respect.

JULES THIRION,
Consul-General de la République Dominicaine.
E. TIBERGHEIM ACKERMAN,
Consul-General of Uruguay.
GEO. LAFOND,
Consul General of Costa Rica to France.
B. FOURGUET,
Consul-General of Ecuador.
FRANCISCO FERNANDEZ RODELLA,
Consul-General of the Republic of Chili.
LUDOVIC JANRÉ,
Consul of the Republic of Paraguay.
EUGÈNE THIRION,
Consul of the Republic of the United States of Venezuela.

[Inclosure 2.]

Mr. Washburne to the Minister of Foreign Affairs.

LEGATION OF THE UNITED STATES,
Paris, September 24, 1870.

The following-named consuls-general and consuls at Paris, to wit, E. Tibergheim Ackerman, consul-general of the Oriental Republic of Uruguay; Jules Thirion, consul-

general of the Dominican Republic; Gabriel Lafond de Lurcy, consul-general of the republic of Costa Rica; B. Fourguet, consul-general of the republic of Ecuador; Francisco Fernandez Rodella, consul-general of the republic of Chili; Ludevic Janré, consul of the republic of Paraguay; Eugène Thirion, consul of the republic of the United States of Venezuela, who are clothed with consular functions by the Southern and Central American Republics, state to me that they have either no accredited diplomatic representative in Europe, or that the chiefs of such legations as have representatives at Paris are absent from the city. Considering, therefore, the grave circumstances at present existing in Paris, they have done me the honor to request that I might, as the representative of a sister and friendly republic, extend my good offices and friendly protection to the arms, flags, and residences of their consulates-general and consulates, as well as to their fellow-citizens finding themselves in Paris.

As I am without the means of communication with my government on the subject, I shall assume that it would desire me, under the circumstances, to extend my good offices and protection in every proper manner, but with the knowledge and consent of the government of the national defense. I have the honor therefore to submit this matter to the consideration of your excellency, with a request that you may inform me if the consent of your government will be given to me to extend my good offices and protection as herein indicated, and in a manner in conformity with the law of nations and the amity that exists between friendly powers.

I take this occasion to renew to your excellency the assurance of the distinguished consideration with which I am your excellency's obedient servant,

E. B. WASHBURNE.

[Inclosure 3.]

The Minister of Foreign Affairs to Mr. Washburne.

PARIS, *September* 26, 1870.

SIR: You did me the honor to write me on the 24th of this month to inform me of the wish expressed to you by the consuls-general and by the consuls of the republics, viz: Dominican, of Uruguay, of Costa Rica, of Ecuador, of Chili, of Paraguay, and of Venezuela, to place under our protection, and to confide to your good offices, the arms, flags, and residences of the consulates, as well as their fellow-countrymen residing in Paris.

I hasten to inform you that the government of the national defense, to whom I have submitted this request, has authorized me to receive it favorably. The foreign consuls certainly could not make a choice which would be more acceptable to us than that of the representative of the United States. However, as certain of them are French, it should be understood that (conformably, too, to what is stipulated in their exequaturs) the favor solicited by them is not to have the effect of keeping them personally from the obligations and duties imposed upon them in their quality of Frenchmen. The position in France of the citizens of the republic of South America, in time of war as in time of peace, is settled by treaties. As far as those republics are concerned which have made choice of Frenchmen as consuls, the application of the measures of favor stipulated in those treaties can extend only to the archives of the consulates and to the foreigners depending upon them, and this only for what depends upon the competency or the powers of the French administration.

Receive the assurances, &c.,

JULES FAVRE.

[Inclosure 4.]

Mr. Washburne to the Consuls-General and Consuls.

PARIS, *September* 30, 1870.

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of the 22d instant, asking that, in the present grave circumstances existing in Paris, I might interpose my good offices to protect the arms, flags, residences, &c., of your respective consulates. Not being able to communicate with my government on the subject, I took it for granted that on account of the warm feeling of friendship it feels for its sister republics, it would most willingly have me assume all the good offices and protection which I could properly render in the premises.

I deemed it proper, however, before giving you this assurance, to advise the government of the national defense of your request, and to ask its permission to act in accordance therewith, in a manner in conformity with the law of nations and the amity that exists between friendly powers. I have had the honor to receive a reply from his excellency Jules Favre, the minister of foreign affairs, a copy of which I beg leave to inclose herewith for your information. In accordance, therefore, with the assent accorded by the government of the national defense, and with the qualifications indicated in the letter of the minister of foreign affairs, I have the pleasure of placing myself at your disposition and to offer you the good offices and friendly protection of my government, so far as they may be in accordance with usage and public law in such cases.

My government will feel highly complimented by the distinguished mark of confidence shown to it by its sister republics of Central and South America. The government and the people of the United States take the deepest interest in all that concerns their welfare and happiness, and they will cordially reciprocate the sentiments of fraternity and sympathy which you have so kindly expressed.

I have the honor to request that you will accept, individually, the assurance of the distinguished consideration with which I have honor to be, with great respect, your very obedient servant,

E. B. WASHBURNE.

To Messieurs—
E. TIBERGHEIM ACKERMAN,
Consul-General of the Oriental Republic of Uruguay.
JULES THIRION,
Consul-General of the Dominican Republic.
GABRIEL LAFOND DE LURCY,
Consul-General of the Republic of Costa Rica.
B. FOURGUET,
Consul-General of the Republic of Ecuador.
FRANCISCO FERNANDEZ RODELLA,
Consul-General of the Republic of Chili.
LUDOVIC JANRÉ,
Consul of the Republic of Paraguay.
EUGÈNE THIRION,
Consul of the Republic of the United States of Venezuela.

No. 88.

Mr. Washburne to Mr. Fish.

No. 299.]

LEGATION OF THE UNITED STATES,
Paris, October 3, 1870. (Received October 18.)

SIR: Much to my surprise and gratification General Burnside and Paul Forbes, esq., made their appearance at my house this morning at 8.30 o'clock. They were courteously permitted to come through the Prussian lines by Count Bismarck, and to bring me a small dispatch-bag, made up by Mr. Stevens, on the 23d ultimo, in London. It contained the dispatch of Mr. Davis of the 8th ultimo, and New York dates to the 10th.

These gentlemen are the first and only persons who have entered Paris from the Prussian lines for two weeks. I have sent dispatches out on two or three different occasions by persons leaving the city, but have not before to-day received anything whatever from outside of the city.

Of course I know nothing of the Prussian force around Paris, nor anything of their plans or operations. As to matters in Paris, I can only say that there has been the most wonderful change in the last two weeks. The report of Jules Favre seems to have changed the face of things entirely. All Paris is now apparently united and determined. They claim to have five hundred thousand troops in the city. Ten

thousand sailors man their outer forts, which are mostly supplied with naval guns of the heaviest caliber.

The inner defenses are wonderfully strong.

* * * * * * *

The diplomatic corps has come to no decision in regard to leaving Paris. I expect we shall know to-day the decision of the Prussian authorities in regard to our sending out and receiving our dispatches. I think there must be some three hundred of our countrymen now in Paris, and many of them are anxious to get away. It is now doubtful whether they will be permitted to go out, either by the French or Prussian authorities. I would, no doubt, be permitted to leave at any time, but should permission to depart be refused to my countrymen, I should consider it my duty to remain. However anxious I might be myself to get away, I should deem it a species of cowardice to avail myself of my diplomatic privilege to depart and leave my *nationaux* behind me to take care of themselves. I am certain such a course would not meet with the approbation of my government, as it certainly would not of my own conscience. If, however, such Americans as may want to depart are permitted to go, I may then leave whenever I think the interest of my government would be better served by my being out of Paris than by remaining in it.

I have, &c.,

E. B. WASHBURNE.

No. 89.

Mr. Washburne to Mr. Fish.

No. 301.] LEGATION OF THE UNITED STATES,
Paris, October 4, 1870. (Received November —, 1870.)

SIR: General Burnside and Mr. Forbes left to go through the Prussian lines yesterday. The general took the bag, in which I had inclosed several dispatches. My colleague of the diplomatic corps, Mr. Caicedo, the minister resident of the United States of Colombia, expects to leave to-morrow morning, and I propose intrusting this dispatch to him to be delivered to Mr. Stevens in London. The diplomatic corps has received no answer to the application to the Prussian authorities to be permitted to send a courier through the military lines to take official dispatches to their respective governments. Count Bismarck writes to Jules Favre that such permission will be granted only on the condition that such dispatches shall be unsealed and subject to the inspection of the Prussian authorities and contain nothing in relation to the war. For myself, I determined instantly that I would not send dispatches under any such conditions, for I assumed that the Government of the United States would permit no other government to examine the official dispatches of its diplomatic representatives. At a meeting of the corps this morning to consider the question, it was unanimously determined not to accept any such condition. The Prussian authorities will be advised of that decision, and no other application will be made to them. If the siege continue, and I remain in Paris, it will be for you to determine as to the measures to be taken to hold official communication with me.

It seems that the nuncio, acting as the *doyen* of the diplomatic corps, had requested Jules Favre to ask Count Bismarck to advise the corps

never the bombardment of the city was to take place. That fact y came to my knowledge yesterday, and I sent word to Count Bis-ck, by General Burnside, that I had nothing to do with such a re-st, as I conceived that, according to the laws of war, the diplo-tic corps had a right to a notification of bombardment without ask-for it.

I have, &c.,

E. B. WASHBURNE,

No. 90.

Mr. Washburne to Mr. Fish.

. 302.] LEGATION OF THE UNITED STATES,
Paris, October 8, 1870. (Received November 9, 1870.)

SIR: I have the honor to inclose you herewith certain proceedings of etings held by the diplomatic corps, which may be taken in connec-n with my dispatch No. 301, under date of the 4th instant, and which e in a measure explanatory thereof.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.]

MEETING OF THE DIPLOMATIC CORPS.

In accordance with a previous notice, the diplomatic corps met at the residence of e Pope's nuncio at eleven o'clock on Tuesday, the 4th day of October, 1870. Twenty-e members of the corps were present.

The nuncio reported to the meeting that, in pursuance of the previous action of the dy, he had seen Mr. Jules Favre, and had verbally requested him to communicate ith Count Bismarck for the purpose of ascertaining, first, whether he would give no-ice to the diplomatic corps of a bombardment; and, second, whether he would permit courier to pass the Prussian military lines to take out and bring in official dispatches r the members of the body. After a long delay Mr. Jules Favre had received the re-ponse of Count Bismarck, the substance of which he had in his hands and would read. s to the first matter, Count Bismarck said that he was unable at the moment to state hat the necessities of the war might require; and, touching the request for a courier, e would allow one to pass the lines once a week to bear official dispatches, provided uch dispatches should not be sealed and have no reference to the war. The nuncio aid the first answer was evasive, and that the condition imposed in relation to the manner of sending dispatches would render it impossible for the diplomatic body to avail themselves of Count Bismarck's offer.

Mr. Kern, the minister from Switzerland, said there had been a misapprehension as to the communication to Count Bismarck. It should not have been a communication by Jules Favre to Bismarck, but the nuncio should, as the organ of the diplomatic corps, have written direct to him and sent it through Favre as the intermediary. In regard to the inquiry which had been directed to Count Bismarck touching the bom-bardment, he certainly should have strongly protested against it. The diplomatic corps had a right by the laws of war to a notice of bombardment, and the body had been placed in a false position by requesting something which they had a right to without asking for it.*

Baron Beyens, the Belgian minister, expressed himself as not being very clear in re-gard to the questions which had been raised; some of the people in the foreign office had told him that the diplomatic corps had no right to a notice of bombardment. Mr. Kern replied he considered such opinions of no value; he had himself studied the ques-tion, and he had no doubts on the subject. He would further say, in relation to the courier, that, as a matter of courtesy due to their respective governments, the diplo-

*As to availing himself of a courier to take his dispatches, he would reject it at once, as the condi-tion was disrespectful not only to his government but to himself.

matic corps had a right to be advised by the Prussian authorities of their intention to cut off their communications with their governments. Baron de Zuylen de Nyevelt, minister of Holland, said the Prussian authorities ought to be informed at once of the presence of the diplomatic corps in Paris, and that they rejected the offer of a courier on the terms proposed.

Mr. P. Galvez, envoy extraordinary and minister plenipotentiary from Peru, said that body owed it to the countries they represented, to the dignity of the diplomatic service, as well as to themselves, to respond negatively to Count Bismarck's proposition to have their official correspondence sent unsealed.

Mr. Washburne, minister of the United States, said there seemed to have been a misapprehension in regard to the character of the communication sent by Mr. Jules Favre, on behalf of the diplomatic corps, to Count Bismarck. He had not understood that a request had been sent to have notice given to the diplomatic corps when the bombardment would take place. He conceived that no such request should have been made, for the diplomatic body had a right to that notice without asking for it. He would further reject instantly any concession of a courier coupled with the condition that his dispatches should go unsealed. He would not write a dispatch to his government which would have to be submitted to the inspection of any other government on the face of the earth.

Mr. Kern, Baron de Zuylen de Nyevelt, and Mr. Washburne were then joined to the nuncio, as a committee to draw up a communication, to be signed by all the members of the corps in Paris, to be sent to Count Bismarck; the same to be submitted to a future meeting for approval.

OCTOBER 5, 1870.

Mr. Kern, Baron Nyevelt, and Mr. Washburne met at the residence of the nuncio, at 2 o'clock p. m., to agree upon the answer to be made to Count Bismarck. Mr. Kern submitted the *projet* of an answer, which was agreed to, and the nuncio was requested to notify the members of the diplomatic body to meet at his residence the next day, at 11 o'clock a. m., to act upon it and to sign it if it met their views.

OCTOBER 6, 1870.

The members of the diplomatic body met in accordance with the notice given by the nuncio yesterday. The committee submitted the answer to Count Bismarck that had been drawn up, which was unanimously agreed to and signed by all the members.

The communication is hereto annexed.

Diplomatic Corps to Count Bismarck.

The undersigned, members of the diplomatic corps residing at Paris, had the honor to send to your excellency, on the 24th of September last, the expression of their wish, that a courier, carrying their official dispatches, might pass the lines of the besieging army every week on days to be hereafter named, and proceed to some point whence a regular postal communication could be assured.

The minister of foreign affairs of France has informed us, by a letter of October 3, that he had the day before received as the reply of your excellency, "that a diplomatic courier could not pass the lines of the besieging troops except upon condition that the dispatches be unsealed and treat of no subject relating to the war."

We should have made it a duty, as regards the contents of our dispatches, to conform scrupulously to the obligations imposed during a siege upon diplomatic agents by the rules and usages of international law.

On the other hand, our position as diplomatic agents, and our obligations toward our governments, do not permit us to accept the other condition, viz, to address to them unsealed dispatches only.

If this last condition is to be maintained, it will be impossible for the diplomatic

presentatives of the neutral states, to their deep regret, to keep up official communication with their respective governments.

Receive, sir, the assurance of, &c., &c., &c.

PARIS, *October* 6, 1870.

FLAVIUS,
The Apostolic Nuncio, Archbishop of Myre.
KERN,
Minister of the Swiss Confederation.
BR. ADELSWAERD,
Minister of Sweden.
CTE. DE MOLTKE HAUFELDT,
Minister of Denmark.
BR. BEYENS,
Minister of Belgium.
LOPEZ DE AROSEMENA,
Secretaire Chargé d'Affaires des Légations de Honduras et de Salvador.
BR. DE ZUYLEN DE NYEVELT,
Ministre des Pays Bas.
HENRIQUE L. MATTEN,
Chargé d'Affaires du Brésil.
VTE. DE LANCASTRE,
Chargé d'Affaires du Portugal.
E. B. WASHBURNE,
Ministre des États-Unis.
TORRES CAICEDO,
Ministre Resident des États-Unis de Colombie.
DUC D'ACQUAIEVA,
Chargé d'Affaires de Monaco et San Marino.
WILLIAM MARTIN,
Chargé d'Affaires de Hawai.
JULES THIRION,
Chargé d'Affaires de la République Dominicaine.
V. DE BALLIVRAN Y RODAS,
Ministre de Bolivie.
P. GALVEZ,
Ministre du Pérou.

No. 91.

Mr. Washburne to Mr. Fish.

No. 303.] LEGATION OF THE UNITED STATES,
Paris, October 9, 1870. (Received November 9.)

SIR: I came to the legation late last night to write you a dispatch to send out by the minister of the United States of Colombia, who was to have left this morning. On my arrival I was both surprised and gratified to learn that General Burnside and Mr. Forbes had returned to the city. They very soon afterward reported themselves and explained the reason of their visit. In several interviews with Count Bismarck, he expressed the idea that it would be well to have certain suggestions conveyed to Mr. Jules Favre in relation to an armistice, for the purpose of enabling the French people to elect a constituent assembly. You will recollect that was the matter which was talked of in the interview between Favre and Bismarck, and that the former rejected it because it was insisted that, as a condition to such an armistice, the Prussian army should have possession of some of the forts about Paris. It is evident that both powers desire a convention of the people of France; Prussia, because she wants a more substantial power to treat with than the present provisional government; France, because the government of the national defense do not want to take the responsibility of making a treaty, but desire that any treaty to be made should be made by a power emanating

directly from the whole people, acting through a constituent assembly. Count Bismarck authorized General Burnside to suggest to Mr. Jules Favre that he would yield the question of the forts and would grant an absolute armistice of forty-eight hours for holding an election, and give every facility for a fair election, for the distribution of tickets and circulars, for a committee to go out of Paris, as well as for the departure of the members elected from the city of Paris, and to render themselves wherever the convention should be held, &c. In addition, it was suggested that a sort of *semi-armistice* might be agreed upon, to extend over a sufficient time to permit the convention to be held; that is to say, there should be no firing; but that the Prussians should be permitted to bring up their guns and provisions, and that everything in Paris should remain *in statu quo*.

I accompanied the two gentlemen this morning to see Mr. Jules Favre, and we had an interview of an hour. The whole subject was gone over, and Mr. Favre stated the objections to Count Bismarck's suggestions. He is, however, to see his colleagues on the subject to-night, and we are to have another interview with him to-morrow morning in season. I hope to give you an account of it before General Burnside shall leave to-morrow noon. I trust some starting-point may be found, so that negotiations with a view to peace may be entered upon. In accordance with your instructions, if both parties shall signify a desire for the good offices of our government disconnected with the European powers, I shall feel authorized to extend them in a proper manner.

MONDAY NOON, *October* 10, 1870.

I have this moment returned from a long interview between General Burnside and Mr. Forbes, Mr. Jules Favre and General Trochu. As the flag of truce is waiting to take our countrymen into the Prussian lines, I have time to say but one word, and that is, that the parties are a long way apart, and that there is hardly a possibility that anything will be accomplished. The door, however, is left open, and it is barely possible that something may be accomplished in the future.

I have, &c.,

E. B. WASHBURNE.

No. 92.

Mr. Washburne to Mr. Fish.

No. 304.] LEGATION OF THE UNITED STATES,
Paris, October 18, 1870. (Received November 8.)

SIR: I have not had the honor to receive from you any communication since the last dispatch I addressed to you, No. 303, and dated the 9th instant, and which I send out by General Burnside. I had go out with the general the messenger of this legation, Antoine Schmit, with the expectation that the Prussian authorities would permit him to go to London with the bag and bring back to me here the bags for this legation that have arrived there within the last three or four weeks. I may here state that I have nothing from the Department since the 8th ultimo. How much longer I am to remain without instructions, advice, or communication from my government, I cannot tell. My messenger went as far as Versailles, near the Prussian headquarters, and although General Burnside urged that he might be permitted to go to London with

the bag and return, bringing back other bags permission was refused. The Prussian authorities would permit him to go to London with the bag but they would not allow him to return. In obedience to my instructions he did not go on, but returned to Paris last Friday night. General Burnside sent word by him that he would take charge of the bag himself and deliver it in London.

I have kept you fully advised as to what the diplomatic corps has done in relation to keeping up communication with their respective governments. With what I have sent you and with what you will have received from the Prussian Government, you will have had the whole case before you.

Since my last dispatch, I have received from Count de Bismarck the letter, a copy of which I send herewith, marked 1. I send also a copy of a letter from the count to the Pope's nuncio, marked 2, which I presume you have also received from the Prussian Government. I further send the circular of M. von Thile, marked 3. *

You will perceive that Count de Bismarck, in his very friendly and courteous note to me, declares his readiness to have my dispatches to my government conveyed by his weekly messengers to London, to be delivered in the manner designated, &c. I presume it is implied that his messengers would bring the dispatches of my government to me. If not, the concession has little value. The permission accorded to me by Count de Bismarck is on account of the anomalous position I occupy toward the Prussian government, and is not conceded as a matter of right. I have made no answer to that part of the count's letter, leaving it to be determined by you, unembarrassed by anything I may have said, how far the Government of the United States will claim the absolute right to communicate with its representative to a friendly power, situated as I am.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1]

Count Bismarck to Mr. Washburne.

VERSAILLES, *October* 10, 1870.

YOUR EXCELLENCY: The exceptional position you occupy makes it incumbent on me to give you an answer separate and different from that I am going to return to the other diplomats who have signed the collective letter of the 6th instant, on the subject of communication with their respective governments. You have been good enough, in compliance with the desire of your government, to take upon yourself the officious protection of the Germans residing in France. For this reason alone I should not have sent off my answer without adding the expression of my sincere thanks for the zeal and good will you have bestowed upon the very troublesome task of assisting my unfortunate countrymen expelled by the French in glaring contradiction to the usages of civilized nations.

As to the subject in question, I regret that reasons of a military character should make it absolutely impossible to allow, as a rule, messengers to pass through our lines; considering that it is not in the power of even the most honorable correspondent to make himself responsible for what the messenger may bear or communicate, besides what he is authorized to carry.

We cannot but maintain the principle set forth in my letter to Mr. Jules Favre, of the 26th of last month, a translation of which you find in the inclosed copy of the North German Correspondent. I beg further to add a translation of a circular of M. de Thile, bearing upon the same subject. With respect to the American embassy, however, it being accredited already with the French Republic, and officiously charged with the representation of our interests, the case is different, and I willingly declare my readiness to have any dispatches they may address to their respective governments,

* See page 71.

conveyed by our weekly messengers to the embassy of the United States in London, provided the dispatches be delivered by the French outposts to ours under flag of truce. It is the individual character of our relation with the American embassy which has caused us already to allow Mr. Burnside and Mr. Forbes, to go there and back between this and Paris, both of them being gentlemen whose loyalty removes every apprehension as to any misuse of that privilege. Perhaps I may be permitted to avail myself of the present opportunity to state that this liberality of ours has been rewarded by those excellent cigars you have been kind enough to send me. I pray your excellency to receive the assurance of the very high regard and most distinguished consideration with which I have the honor to be.

Your humble, obedient servant,

BISMARCK.

[Inclosure 2.]

Count Bismarck to the papal nuncio.

VERSAILLES, *October* 10, 1870.

SIR: I have had the honor to receive the letter of the 6th October instant, by which the members of the diplomatic corps still residing at Paris have seen fit to inform me that it would be impossible for them to keep up official correspondence with their respective governments if the condition prescribing that they should forward only open dispatches should be insisted upon.

When the continuation of the siege of Paris was rendered inevitable by the refusal of an armistice by the French Government, the government of the King, of its own motion, by a circular note of the secretary of state, Mr. de Thile, of the 26th September last (of which I have the honor to send you a copy), notified the agents of the neutral powers accredited to Berlin that liberty of communication with Paris would exist henceforth only so far as military events would permit. The same day I received at Ferrières a communication from the minister of foreign affairs of the government of the national defense, which informed me of the wish expressed by the members of the diplomatic corps to be authorized to send their dispatches to their governments by weekly couriers, and I did not hesitate, in conformity with the rules of international law, to make a reply, dictated by the necessities of the military situation; a copy of which I also transmit to your excellency. The representatives of the present power (government?) have seen fit to establish the seat of their government in the midst of the fortifications of Paris, and to choose that city and its environs as the theater of the war. If the members of the diplomatic corps who have been accredited to a preceding government have decided to share with the government of the national defense the inconveniences inseparable from a residence in a besieged fortress, it is not the government of the King which is responsible for it.

Whatever may be our confidence that the signers of the letter of October 6 would conform, in their communications addressed to their governments, to the obligations which their presence in a besieged fortress imposes upon the diplomatic agents according to the laws of war, we must provide for the possibility that the importance of certain facts in a military point of view may escape them. It is evident, too, that they cannot furnish us the same guarantees for the messengers whom they may employ, and whom we shall be obliged to let pass and repass through our lines.

There has been created at Paris a state of things to which modern history furnishes no precise analogy in the point of view of international law. A government at war with a power which has not yet recognized it, shuts itself up in a besieged fortress, and finds itself there surrounded by a part of the diplomatists who were accredited to a government which has been superseded by the government of the national defense.

In presence of a situation so irregular it is difficult to establish, on the basis of the law of nations, rules which should be free from doubt in all points of view. I hope that your excellency will not fail to recognize the justness of these observations, and will appreciate the considerations which prevent me, to my great regret, from consenting to the wish expressed in the letter of the 6th of October. If, however, the signers cannot admit the justness of these considerations, the governments which they represent at Paris, and to which I shall hasten to communicate this correspondence, will consult on their side, and will put themselves in communication with the government of the King for an examination of the questions of the law of nations which grow out of the abnormal situation which events and the measures of the government of the national defense have created at Paris.

Receive, &c.,

BISMARCK.

Monseigneur CHIGI,
Nonce Apostolique à Paris.

No. 93.

Mr. Washburne to Mr. Fish.

o. 305.] LEGATION OF THE UNITED STATES,
Paris, October 18, 1870. (Received November 9.)

SIR: Many of our countrymen, shut in by the investment of Paris, aving become very anxious to leave the city, I asked General Burnside o procure, if possible, the permission of the Prussian authorities to go hrough their military lines. The general having advised me that Count de Bismarck had authorized him to say that he would permit all Americans to go through their lines that I would ask for, I yesterday nade application to the French Government for authority to the citizens of the United States to leave the city and go through their military lines. Just as I was about to close my dispatches to send out early in the morning, I received the letter from Mr. Jules Favre which I have the honor o send herewith. I must confess that I was very much surprised and disappointed. If the decision is adhered to in its full force, the disappointment to large numbers of our countrymen now in Paris will be very great. I estimate that there are between two hundred and two hundred and fifty Americans now in Paris, and that about one hundred of them are anxious to leave. Among this number desirous of going away are found many cut off from their communications from home, who are without funds, and who have no means whatever of living. If the siege continues for a long time, and they cannot get away, their condition must become deplorable in the extreme. I need not say that matters are becoming very embarrassing, but I hope we shall get through in some satisfactory way. I shall look further into this matter of the departure of our people, and write you by the first opportunity.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.—Translation.]

Mr. Favre to Mr. Washburne.

PARIS, *October* 18, 1870.

SIR AND DEAR MINISTER: Conformably to the desire which you have done me the honor to express to me yesterday, I transmit to your excellency the letter addressed to the minister of war, to notify him of the departure of your courier. I beg you to send it to him at once, with notice of the precise hour of his departure.

As regards the permission solicited by a number of your countrymen to pass our lines to leave Paris, I have asked for it from the only competent authority, that is to say, from the governor of Paris. He was of opinion that the difficulties raised by this request, being political as well as military, the government ought to examine them. The government has done so, with a strong desire to be agreeable personally, and to give to your nation a new proof of its sincere cordiality. But however powerful are these considerations upon our minds, we have been checked by the absolute impossibility which we find ourselves in of satisfying the requests of a similar nature which are constantly made. The number of strangers who have not left Paris is very great; many of them have asked of us permission to leave Paris, which we have been obliged to refuse for reasons of defense, of which your excellency will, without doubt, appreciate the value. To grant them would be to annul our military operations; to make exceptions would be to create an unjustifiable privilege. I have therefore the regret to notify your excellency that the government is of opinion that permission to leave Paris during the siege can only be granted to persons clothed with a diplomatic character.

I beg your excellency to believe that it is extremely painful to me not to be able to be agreeable to you. It is one of the griefs which war imposes upon us, and it is one of those to which I can least easily reconcile myself.

I beg your excellency, &c., &c.,

JULES FAVRE.

No. 94.

Count Bismarck to Mr. Washburne.

VERSAILLES, *October* 19, 1870.

SIR: I had the honor to receive your letter, dated the 17th instant, concerning the withdrawal of American citizens from Paris. In answer, I beg to say that your countrymen will be permitted to pass through our lines if provided with passports delivered by you and stating that they are citizens of the United States. The departure should be taken by the Porte de Créteil. Recent experiences, and a decision adopted in consequence by our military authorities, make it necessary that all persons leaving Paris for the purpose of passing through our lines should be earestly warned that they are not allowed to carry any parcels, letters, or communications whatsoever besides those to be delivered to our outposts, and that any contravention in this respect will unfailingly bring down upon them the full rigor of martial law. I beg you will be good enough to have it stated on the passports that the bearer has been warned accordingly.

With the expression of my highest respect, I remain, sir, &c., &c.,

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America, Paris.

No. 95.

Count Bismarck to Mr. Washburne.

VERSAILLES, *October* 19, 1870.

SIR: In answer to your letter of the 17th instant, I have the honor to inform you that a king's messenger is going from here to London by way of Brussels every Wednesday. Owing to the irregularity of the railway and postal service, there is now and then a delay of one, perhaps two days.

The messenger has to start by 10 o'clock a. m., and will be duly instructed to deliver your letter-bags to Mr. Stevens.

I have the honor to be, with great respect, your obedient servant,

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Envoy Extraordinary and Minister Plenipotentiary of the United States of America, Paris.

No. 96.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *October* 19, 1870.

SIR: I have received two letters from Mr. Jules Favre and Mr. Foelkersam, the Russian consul-general, respectively, copies of which I beg

to inclose, concerning the withdrawal of certain persons, not French, from Paris. We have intimated to Mr. Jules Favre that the military authorities have consented to the request expressed therein, under the condition, however, that the identity and nationality of those persons ought to be verified and attested in a list compiled by you. I very much regret that, in addition to so much trouble, I should be obliged to draw still more upon your kindness. Recent experiences, and a decision adopted in consequence by the military authorities, make it necessary that all persons leaving Paris for the purpose of passing through our lines should be earnestly warned that they are not allowed to carry any parcels, letters, or communications whatsoever, besides those to be delivered to our outposts, and that any contravention in this respect will unfailingly bring down upon them the full vigor of martial law. I beg you will be good enough to state on the foot of the list or lists that the persons named therein have been warned accordingly. The departure should be taken by the Porte de Créteil.

I avail myself of this opportunity to renew the assurances of the highest consideration with which I have the honor to be your obedient servant,

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Envoy Extraordinary and Minister Plenipotentiary of the United States, Paris.

No. 97.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, October 21, 1870.

SIR: When it became inevitable that Paris was to be invested I used every exertion in my power to send out from the city all the subjects of the North German Confederation then here, against whom the order of expulsion had been directed.

Deplorable as their condition then was, I knew that it must become infinitely worse after the siege should commence. It is not to be wondered at that, in so large a German population as there was in Paris at the breaking out of the war, quite a number were still found in the city when communication was finally cut off.

Some were too old and some were too sick to leave; some were children without protectors, but the greater number were female domestics, many of whom had been persuaded to remain with their employers under pledges of protection. As the siege progressed, however, these poor people, either abandoned by their employers or denounced to the authorities, were turned into the street, only to be arrested and cast into prison.

On making a personal visit to the prison of St. Lazare, a few days since, I found no less than seventy-four persons of this class, subjects of the different German powers at war with France. I lost no time in arranging for their release and I now have them all comfortably cared for and upon reasonable terms; I have some twenty others (mostly females) whom I am providing for, making about one hundred in all. The French Government has promised me that they shall have full protection.

From the fund so generously placed at my disposal by your government, I think I have sufficient means in my hands to properly and comfortably care for all the Germans now in Paris; if not, I can make advances should it be desired. In using this fund in this way, I am sure that I correctly interpret the humane and generous sentiments of the royal government toward its unfortunate subjects now in this city, whose sufferings and distress I have been compelled to witness since the commencement of the war and by which I have been so deeply touched.

With, &c.,

E. B. WASHBURNE.

His Excellency COUNT DE BISMARCK, *&c., &c., &c.*

No. 98.

Mr. Washburne to Mr. Fish.

No. 307.] LEGATION OF THE UNITED STATES,
Paris, October 24, 1870. (Received November 15.)

SIR: The minister of the United States of Colombia, Mr. Caicedo, before leaving Paris, with all the *personnel* of his legation, requested me to take under my protection the few Colombians who might remain in Paris. I promised to do so very cheerfully, glad of the opportunity to render a service to a sister American republic; but as there are very few Colombians in Paris, and their interests are not large, I have not thought it worth while to trouble the French Government with a request for its assent. My protection will be simply "officious."

The chargé d'affaires of Portugal, the Vicomte de Lancastre, who proposes to leave Paris to-morrow, has also asked me to extend our protection to his fellow-subjects remaining in Paris. I have consented to do so; but as this is a matter of more importance, in view of the number of persons and the importance of the interests at stake, I have asked the consent of the government of the national defense. This has been promptly accorded. The request of the Vicomte de Lancastre was made by direction of his government.

I have, &c.,

E. B. WASHBURNE.

No. 99.

Mr. Washburne to Mr. Fish.

No. 308.] LEGATION OF THE UNITED STATES,
Paris, October 24, 1870. (Received November 15.)

SIR: Referring to my dispatch of the 18th instant, and numbered 305, I have the honor to state that I have this day received from the Government of the National Defense the permission for my countrymen to leave Paris. They are to leave, therefore, on Thursday morning next, by the way of Créteil.

It had been twice decided that at this state of the siege no foreigner would be permitted to leave Paris, but after having several interviews on the subject with General Trochu and Mr. Jules Favre, they finally agreed to change their determination, and let all of our Americans go

who wanted to leave. I think this decision is mainly due to a friendly feeling toward our government. From the beginning, Mr. Jules Favre evinced every desire to gratify my wishes in this regard. The granting of the permission for the Americans to leave involved a like permission for the subjects of other neutral powers; and as the Prussian authorities require that I shall give a pass to every person who desires to traverse their military lines, I am likely to have a good deal of work on hand for the next two days. I have had prepared a special passport for this purpose, a copy of which I have the honor to inclose herewith.

* * * * * * *

I have, &c., E. B. WASHBURNE.

[Inclosure.—Translation.]

LEGATION OF THE UNITED STATES OF AMERICA IN FRANCE.

The bearer, ——— ———, a citizen of the United States, having expressed to me a desire to leave Paris and to pass the military lines of the powers at war with France, I hereby request the military authorities aforenamed to allow ——— ——— to pass their lines freely with ——— carriage, baggage, &c., and to give aid and protection in case of need.

In testimony whereof we, E. B. Washburne, envoy extraordinary and minister plenipotentiary of the United States in France, have hereunto affixed our signature and the seal of this legation, this —— day of ———, 1870. [L. S.]

DEPARTURE THROUGH THE CRÉTEIL GATE.

The undersigned, whose name is in the passport on the opposite page, admits that he —— been notified by the aforesaid Minister of the United States that he can be the bearer of no newspaper, letter, or package, except personal baggage, under penalty of military law.

PARIS, *the* —— *October*, 1870.

No. 100.

Count Bismarck to Mr. Washburne.

VERSAILLES, *October* 29, 1870.

SIR: According to trustworthy information, Dr. Fontaine, a Prussian subject, and well-known historian, while traveling for literary purposes in French districts occupied by the German forces, has been arrested and carried to Besançon, where his life appears to be in danger.

There is nothing to justify such a proceeding against an inoffensive scholar. I therefore beg you will be good enough to demand formally his release from the provisional government and to state explicitly that, in case of refusal, a certain number of persons of analogous condition of life will be arrested in different towns of France and sent to Germany to undergo there the same treatment, whatever it may be, that is reserved for Dr. Fontaine in France.

I remain, &c., &c., V. BISMARCK.

No. 101.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *October* 29, 1870. (Received November 1.)

SIR: The King's ambassador at London informs me that Mr. Motley has expressed the desire to have Mrs. George Buckham, of New York,

leave Paris. Her husband is now at London. I hasten to inform you of this, and add that there will be no opposition to the departure of this lady, if she presents herself furnished with a passport signed by you and establishing her identity.

The minister of Persia at London having asked for young Farouk Khan a pupil at the Bangé Institution, 94 rue de Bac, authorization to leave Paris, this permission has been also granted, and he may cross our lines with a passport establishing his identity, if you will have the kindness to so inform him.

Please accept the repeated assurance of my high consideration.

V. BISMARCK.

His Excellency Mr. WASHBURNE,
Minister of the United States of America, Paris.

No. 102.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, October 31, 1870.

SIR: I have the honor to acknowledge the receipt of your several favors of the 29th instant, and beg to say that due attention has been given to the same. In relation to the one touching Dr. Fontaine, I have to state, however, that I have not yet been able to see Mr. Jules Favre, as he has been all day absent from the foreign office. I shall take occasion to see him as soon as possible, and shall take pleasure in complying with your request.

I have, &c., E. B. WASHBURNE.

His Excellency COUNT DE BISMARCK,
&c., &c., &c.

No. 103.

Mr. Washburne to Mr. Fish.

No. 310.] LEGATION OF THE UNITED STATES,
Paris, October 31, 1870. (Received November 25, 1870.)

SIR: Under the permission obtained from both belligerents, forty-eight of our countrymen left Paris on Thursday last. I have the honor to send you herewith the report on the subject made to me by Mr. Ward, temporarily employed at this legation. Many persons who had professed to be very anxious to get away declined to leave when the opportunity presented itself. There are some others who now want to depart, but it is very doubtful if I can now get permission of the French authorities for them to leave. They had insisted that the whole number of those who intended to leave should go out at the same time on Thursday last. The English and the Swiss received yesterday from Count de Bismarck their permission to pass the Prussian lines, but the French authorities now hesitate to fix the day on which they may leave. The Russians went out on the same day as the Americans. I believe there is yet some trouble about the Austrians going out. I am very glad that I have so many of our countrymen safely away.

I have, &c., E. B. WASHBURNE.

[Inclosure.]

Mr. Ward to Mr. Washburne.

LEGATION OF THE UNITED STATES,
Paris, October 27, 1870.

Accor[illegible]ng to your instructions, and having previously obtained from the governor of Paris, General Trochu, the necessary pass for the list of Americans drawn up at this legation, I proceeded on horseback, as per appointment, at 6 a. m., with two staff officers, trumpeter, and flag of truce, to the gate of Charenton, where the convoy was to meet. Having [illegible]ormed the line, we passed out of the city under military escort, and proceeded to the v[illegible]llage of Créteil, on the post-road to Bale, just beyond which was the Prussian outpost. Before reaching the village, however, an examination of your passes was made. [illegible]eaving the convoy in Créteil, the staff officers, flag of truce, trumpeter, and myself [illegible]de up to within a hundred yards of the Prussian barricade outpost. After waiting [illegible]ome time, and doing considerable trumpeting, a lieutenant and two soldiers appeare[illegible] bearing a white flag. We parleyed, and, on the arrival of his superior officer, ordered [illegible]n the convoy.

Exa[illegible]nation of your passes was again made by Lieutenant Tillié, of Seventy-fifth regime[illegible] of the line, and myself; and German *sauf-conduits* being delivered by the lieuten[illegible]t for the occupants of each carriage, prescribing their line of march, the convoy, co[illegible]sisting of forty-eight Americans (men, women, and children), in nineteen carriages, [illegible]per list herewith (as also the Russian convoy of seven carriages and twenty-one pe[illegible]ons, having your passes), then passed on through the barricade into the Prussian li[illegible]; from whence I was informed they would proceed, each carriage escorted by a soldi[illegible] to the Prussian post beyond, at Boissy. Your son and Colonel Hoffman went to the [illegible]tpost and returned with me to Paris, where I reported at the legation the execution [illegible] your instructions.

ALBERT LEE WARD.

List of Americans who left Paris on the 27th October, 1870.

Mr. [illegible]d Mrs. W. E. Cramer, Mr. G. W. Kidder, Mr. W. H. Fuller, Mr. V. Masson, Mr. H. Helm[illegible]k, Mr. B. F. Meyer, Mr. G. N. Sanders, Mr. H. A. Stone and two coachmen; Dr. L. S. Burri[illegible]e, two sons, governess, and coachman; Mr. E. Preble, Mrs. O. Closterman and Miss [illegible] J. Closterman, Mr. I. C. Lynes, Mr. J. G. Peniston and Mr. J. A. Peniston, Mr. C. H. [illegible]elles, Mr. E. L. Leeds, Mr. G. L. Whittaker, Miss A. Whinnery and governess, Mr. [illegible]x Gelin, Mr. I. F. Sterling, Mr. I. L. O'Sullivan and wife, Mr. Henry Turnbull, Mr. H. [illegible] Palmieri, Mr. L. M. Sargent, Mr. W. H. Sizer, Mrs. Wagner and two children and coach[illegible]an, Mr. I. A. Marsh, Mr. I. G. Bernell, wife, and four children; Mr. A. S. Southwort[illegible]d courier, Mr. F. Pendleton, Mr. M. Helman, wife, child, nurse, maid, and coachman [illegible]r. L. A. M. Rossi, Mr. W. F. Duff, Mrs. Pollock and coachman.

RECAPITULATION.—48 Americans, 6 coachmen, 2 governesses, 1 courier, 1 nurse, 19 carri[illegible]ges, 1 saddle-horse.

No. 104.

Mr. Washburne to Mr. Fish.

No. 312.]

LEGATION OF THE UNITED STATES,
Paris, October 31, 1870. (Received November 25, 1870.)

SIR: I take the liberty of inclosing you herewith a copy of a letter addressed to me by Count de Bismarck, in relation to the action of the government of the national defense, and in regard to the situation of Paris.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.]

Count Bismarck to Mr. Washburne.

VERSAILLES, *October* 29, 1870.

SIR: Having before them the resolution adopted by the government of national defense, to continue a hopeless struggle and to defend Paris as long as provisions will

last, the government of His Majesty have felt obliged to give their attention to the consequences which the carrying out of that resolution will entail upon the inhabitants of Paris, consisting as they do, for a great part of foreigners. By a memoir communicated to foreign cabinets some weeks since, we have declined any responsibility for the sufferings to which the residents will find themselves exposed when the resources are exhausted, and when, owing to the waste laid all around Paris by order of the French Government at an extent of three or four days' marching, it will be impossible to provide the survivors with food or to transport them beyond the zone of destruction.

While sending you a translation of the said memoir, I take the liberty of earnestly calling your attention to the considerations detailed therein and bearing directly upon the interests of those American residents who, either by their condition of life or for want of means, have been obliged to remain at Paris.

I have the honor to be, with the highest consideration, your obedient servant,

BISMARCK.

His Excellency Mr. WASHBURNE,
Minister of the United States.

MEMOIR.

Mr. Jules Favre and his colleagues have rejected the proposal of an armistice, the conditions of which would have afforded to France the starting-point for a return to a regular order of things. So they pronounce for the continuation of a struggle which, to judge by the march of events up to the present day, does not offer any prospect of success to the French nation. The chances of this struggle, demanding so heavy sacrifices, have constantly gone from bad to worse for France. Toul and Strasburg have fallen, Paris is strictly invested, and the German troops are extending their incursions to the banks of the Loire. The considerable forces assembled before those two fortresses are now disengaged awaiting further orders of the commander-in-chief. The country will have to undergo the consequences of a war à l'outrance resolved upon by the members of the French Government at Paris. The sacr fices of the nation will go on increasing to no purpose, and the decomposition of society will attain proportions more and more threatening. To counteract such a course of events, the leaders of the German armies are unfortunately powerless, but they carefully weigh and clearly foresee what will be the effect of the resistance proclaimed by the men in power in Paris, and they must call beforehand general attention to one point above all, the particular condition of Paris. The more important fights that have taken place before this capital till now have proved too evidently that Paris is doomed to fall after some period of longer or shorter duration. If that period should be prolonged to the day when capitulation will be necessitated by want of food, terrible effects will be produced. The destruction of railways, bridges, and canals, absurdly executed within a certain radius (of about 50 English miles) around Paris, did not arrest the progress of our armies. As far as communications are required for us, they have been restored by us. But what remains unrepaired will, even after a capitulation, interrupt the traffic between the capital and the provinces for a long time to come. In such a predicament the chiefs of the German army would find themselves in the absolute impossibility to furnish a population of nearly two millions with food, be it only for twenty-four hours. The environs of Paris would likewise, within several days' marches, be devoid of every kind of resources, including means of locomotion capable of removing the Prussians to the provinces. The inevitable consequence would be starvation of hundreds of thousands. The French rulers cannot but foresee these consequences as clearly as the leaders of the German armies, yet they leave to the latter no alternative but to follow up the struggle which is offered to them. He who brings matters to extremities of this kind will have to bear the responsibility thereof.

No. 105.

Mr. Washburne to Mr. Fish.

No. 313.] LEGATION OF THE UNITED STATES,
Paris, 11 *o'clock Monday night*, *October* 31, 1870.
(Received November 25, 1870.)

SIR: I have waited till a very late hour before commencing my dispatch, which I hope to be able to start off at a very early hour to-morrow

morning. The day has been one of much excitement and interest. The arrival of M. Thiers, the disgraceful affair of Le Bourget, of yesterday, when the French permitted the Prussians to surprise them and recapture the town, and the terrible news of the fall of Metz, all conspired to create a profound excitement in Paris. It is almost impossible to get at the truth in regard to the state of affairs; but, as near as I can learn, some of the dissatisfied national guards and a crowd of the red republicans invaded the Hotel de Ville this afternoon and took the government of the National Defense prisoners. They then went to work and organized what they called the "government of the commune," and fixed upon the candidates to be elected to-morrow by a vote of the people of Paris. I inclose you a card containing a list of the names of the persons to form this new government of the red republic. I went to the Hotel de Ville at six o'clock to-night and found that it had been invaded by soldiers. The magnificent hall of the municipal council was densely packed with soldiers, singing, shouting, yelling, and speech-making. All seemed to consider that the revolution was practically accomplished, and that nothing was wanting but a vote of the people of Paris, to be taken to-morrow. I have just learned, however, that General Trochu and Jules Favre escaped early in the evening, and that they are now organizing to put down these new revolutionists. At any rate, the *generale* is everywhere beating, and gentlemen bring me the intelligence that the center of the city is literally packed with troops, and that everybody is expecting a collision to-night. My messenger is obliged to start so early in the morning, in order to meet the flag of truce, that I can give you no further intelligence before he leaves. I send you several papers, issued this evening, though dated to morrow, which you will find contain a good deal on this subject.

In all this turmoil and excitement to-day, I have not been able to find out anything in regard to the result of the mission of M. Thiers. He left at three o'clock this afternoon to return to Versailles.

I am as yet without any dispatch-bag since the one brought by General Burnside, a month ago, and, of course, without instructions from you.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.]

Rue Condoret 47, Impie, Bachy, et cie.	La Dépêche, N. 32.	100 Dépêches, 10 frs. 50 Dépêches, 5 frs.

Paris, le 31 Octobre 1870, 5 heures du soir. Le gouvernement de la commune est composé de MM. Dorian, Victor Hugo, Félix Pyat, Henri Rochefort, Schoelcher, Delescluze, Mottu, Bouvallet, Gaupin, Martin Bernard, Blanqui, Flourens, Louis Blanc, Ledru Rollin.

No. 106.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *November* 1, 1870. (Received November 8.)

SIR: The Italian government has asked, through the medium of its minister at Berlin, authorization for persons of that nationality still re-

siding at Paris to leave the city, and it has expressed the desire that the Italian consul at Paris should be informed of it.

I beg you, sir, to kindly forward this communication, adding that this permission is only accorded by the military authorities to a limited number of persons particularly recommended, and that, in order to obtain it, it will be necessary to send me previously the exact list of those persons who, upon their departure from the city, must be furnished with papers establishing their identity.

I have the honor to inform you, at the same time, that the authorization to quit Paris has been granted exceptional to the Marchioness de Gallifet and to Madame Manara, living at 107 Faubourg Saint Honoré. I beg you will kindly give them, when they present themselves to you, passports establishing their identity.

I take advantage of this occasion to forward to you the dispatches from your government, brought from London by Colonel Forbes, and to beg you to transmit to their address the two dispatches herewith, from the governments of Sweden and Holland, to their representatives at Paris.

The dispatches which you sent me yesterday, for your colleague in England, will be forwarded to-morrow by our courier.

Please accept, sir, the repeated assurance of my high consideration.

V. BISMARCK.

His Excellency Mr. WASHBURNE,
Minister of the United States of America at Paris.

No. 107.

Count Bismarck to Mr. Washburne.

VERSAILLES, *November* 2, 1870.

SIR: From different sides applications of French officers being prisoners of war in Germany for exchange have reached us. We cannot accede to individual demands of this kind, but there would be no objection to a general exchange of all persons belonging to the German armies being now prisoners of war in France, officers as well as petty officers, and rank and file, against equal numbers of military men of equal station of the French army, the selection to be made according to the prior date of their captivity, eventually, by drawing lots. I shall thank your excellency for bringing the foregoing to the knowledge of Mr. Jules Favre.

Accept the renewed assurances of the very high consideration with which I remain your excellency's obedient servant,

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America, Paris.

No. 108.

Mr. Washburne to Mr. Fish.

No. 314.] LEGATION OF THE UNITED STATES,
Paris, November 7, 1870. (Received December 1.)

SIR: The affair at the Hotel de Ville, of a week ago to-day, a partial account of which I gave you in my dispatch of that evening, No. 313

as practically terminated at three o'clock on the next morning. The embers of the government were guarded by military forces under the ontrol of Flourens, Blanqui, Pyat, and others, the leaders of the revolu- onary movement. General Trochu and Jules Ferry, not Jules Favre, erroneously stated in my last dispatch, escaping early in the evening, ook immediate measures to release their colleagues. The improvised evolutionary government, which held the Hotel de Ville by force dur- ig the afternoon and the first part of the night of Monday, the 31st ltimo, could hardly have been fully advised of the measures which ere being taken to overthrow it. The members of this self-constituted government of the commune" went to work giving orders in all direc- ions, to the end to more fully possess themselves of the government. One of them sent a modest order on the minister of finance to trans- mit him immediately fifteen million of francs. Another order was given o seize the prefecture of police, and many orders were given concern- ng military operations, the forts, the gates of the city, &c. As the night wore on, the revolutionary force holding the Hotel de Ville became ess and less vigilant, and about three o'clock on Tuesday morning they were completely surprised and surrounded by an overpowering force of he national guard, who had quietly and silently got into the building by various secret ways. After a long parley, and after many threats to shoot on the spot some members of the government of the national lefense, the revolutionary troops finally agreed to retire from the build- ng, leaving it in possession of the national guard and the members of the government released from their "durance vile." Blanqui, Flourens & Co. suddenly disappeared at the same moment, and, what may surprise you, not one single person engaged in all this business was arrested. This little side-show of the "government of the commune" had a pre- carious existence of about twelve hours, and then "vanished into thin air." The whole thing was at once astounding and ludicrous, and the papers have been filled with the incidents and history of that remarka- ble day, which must cut some little figure hereafter in the history of these strange times. I send you a great number of Paris journals, which will give you a more detailed history of the whole affair.

By the Journal Officiel, which I send also, you will see what has been the action of the government of the National Defense since this trouble took place. You will pass your own judgment upon its submission of itself, as the Government of France, to a vote of confidence of the peo- ple of Paris. I think the large vote of confidence which the government received was the result of a desire of vast numbers of people that it should be so strengthened that it would be enabled to make terms for an armistice. The question of such an armistice has been the great topic of conversation for the last few days, and the sentiment in favor of such an armistice as it was supposed could be had was overwhelming. There was a general belief that there would be an armistice which would finally lead to a peace, and there was quite a buoyant feeling. Yester- day morning, however, the official journal announced, to the great sur- prise of the Paris public, that terms for an armistice could not be agreed upon. The announcement created a profound feeling of despondency, and everybody is inquiring, "What next?" Mr. Jules Favre went out through the French military lines toward the Prussian outposts yester- day, and returned to Paris at noon to day. It is supposed that he has been engaged in a still further effort to effect the armistice.

There has been no marked change in the situation of Paris since my dispatch of a week ago. Meat has become more scarce, but the supply of vegetables and bread is abundant. I think the city would hold out

until the 1st of January if the people could see that anything were to be gained by it.

I received on Saturday evening last a package of private letters and some New York newspapers, with dates up to the 15th ultimo. This package was brought from London to Versailles by Mr. Paul S. Forbes, and was forwarded to me from Versailles by the Prussian authorities. Mr. F. left London on the 28th ultimo, and Mr. Stevens writes me that Mr. Moran declined sending any official dispatches by him. I am at a loss to divine the reason. I am, therefore, still without anything from your department since the 8th of September.

I have, &c.,

E. B. WASHBURNE.

No. 109.

Mr. Favre to Mr. Washburne.

[Translation.]

PARIS, *November* 8, 1870.

SIR: You have been kind enough to transmit to me a copy of a letter under date of 7th of this month, addressed you by Mr. Thile, from Berlin, in the name of the North German Confederation, to demand the restitution of six German merchant-vessels, captured by French vessels of war, contrary to the notice published in the official journal of the 21st of July last. Mr. Thile, moreover, states that the crews of the vessels Alma and Courier, captured in Grecian waters and sent to Marseilles, had been put in the chain-gang and inhumanly treated for six weeks. In regard to the capture of the six vessels designated in the list annexed to the letter of Mr. Thile, I shall only call attention to the fact, that according to the aforesaid list, the declaration of the 21st July would not be applicable to these vessels. In fact the favorable exemption announced in that notice only affected enemies' vessels whose destination was a French port, and the six vessels in question are stated in the Prussian list as bound for neutral ports.

As to the prisoners, no information has reached me as to the treatment they have received in Marseilles, and I cannot well understand that the local authorities should have failed in the law of humanity in regard to them. I can state, with confidence, that from the beginning of the war measures were taken so that crews of captured vessels should be placed together in depots situated in the interior of France, and treated according to the general regulation for prisoners of war of the 6th May, 1859, which was made known to the Berlin cabinet in the month of August last.

Receive the assurances of the high consideration with which I have the honor to be, sir, your very humble and obedient servant,

JULES FAVRE.

Mr. WASHBURNE,
Minister of the United States, Paris.

No. 110.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATE.
Paris, November 10, 1870.

SIR: Mr. Jules Favre has addressed me an unofficial note, stating that a report has reached Paris that M. de Raynal, "substitut du procu-

de la republique" at Versailles, has been arrested by the Prussian orities. As the family of M. de Raynal feel much anxiety in regard the matter, Mr. Favre has sought my good offices for the purpose of aining some information in regard to him, in order to relieve their iety.

Commending the matter to your consideration, I have, &c.,

E. B. WASHBURNE.

His Excellency COUNT DE BISMARCK,

&c., &c., &c.

No. 111.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *November* 19, 1870. (Received November 21.)

SIR: I had the honor to receive the letter you kindly addressed me November 10, to inform me that Mr. Jules Favre had expressed to you unofficially the desire to obtain intelligence of the fate of Mr. de Raynal. According to the information which has reached me on this subject, his arrest was decided upon by the military authorities, because it was demonstrated by the papers seized at his house, and notes written by his hand, that he had kept up correspondence for the purpose of sending information to the enemy. He has been sent into Germany, where he will be tried by a council of war.

I take advantage of this occasion to inform you that several balloons sent recently from Paris have fallen into our hands, and that the persons sending them up will also be tried by the laws of war.

I beg you to kindly bring this fact to the knowledge of the French Government, adding that all persons who take this means of crossing our lines without authority, or of holding correspondence to the prejudice of our troops, will expose themselves, if they fall into our power, to the same treatment, which is just as applicable to them, as those who make similar attempts by the ordinary way.

Please accept, sir, the repeated assurance of my high consideration.

v. BISMARCK.

Mr. WASHBURNE,

Minister of the United States of America at Paris.

No. 112.

Count Bismarck to Mr. Washburne.

VERSAILLES, *November* 12, 1870.

SIR: Recent and repeated experience has shown that even respectable persons, in spite of the warning addressed to them before leaving Paris, and relying upon our confidence, do not hesitate to carry letters clandestinely through our lines. Nay, in several letters captured by our men indications are given to the correspondents to address the information they are desired to give in the interest of the enemy to certain

persons in Paris bearing a diplomatic character. In consequence the military authorities, as they had reserved themselves the right to do from day to day, have resolved upon not granting any more permissions to leave Paris. This decision of course does not affect individual permissions already granted. The military authorities, upon my representation, have besides consented to allow those persons to pass who, up to the present day, have applied either directly or by the interposition of their embassies. The catagories comprise—

1. The persons belonging to the embassies of the Netherlands, Belgium, Denmark, Sweden.

2. Certain citizens of the Netherlands, Switzerland, and Italy, enumerated in the inclosed lists, A, B, C, D, together with a number of Englishmen indicated in a supplementary list, E.

3. The persons belonging to other nationalities who are enumerated in the list F.

The inclosed letters, addressed to the representatives of the Netherlands, Italy, Switzerland, Belgium, Denmark, and Sweden, are to be forwarded accordingly, requesting them at the same time to tell their countrymen that they will be searched by our outposts, and if letters, parcels, or communications whatsoever should be found concealed with them they will be tried by court-martial. Your excellency, on delivering passports to them, as well as to the persons included in the list F, will be good enough to repeat such intimation and certify that this has been done.

Trusting to your benevolence, I beg you will be kind enough to have the persons comprised in list F informed that they will be permitted to pass; to forward the inclosed letter to No. 8 and 11, and to Mr. Bangs (Farouk Khan having already received permission to withdraw from Paris); lastly, to send word to Madame Zück Rollin (No. 10) that her husband is waiting her arrival here.

I need hardly add that it will be impossible for you in future to grant any more passports to anybody, Central and South Americans not excepted.

The military authorities having peremptorily refused to allow anybody to enter Paris, I am, to my great regret, for the moment, unable to give effect to the permission held out to Col. Frank Moore before the recent change of circumstances. I have telegraphed to that effect to Brussels.

Have you got any information posterior to your letter of the 21st of October as to the number and condition of Germans detained in prison?

With the present letter I forward two dispatch-bags arrived from London; your bag has been duly sent to your agent there.

I have, &c.

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America, Paris.

No. 113.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, November 14, 1870.

SIR: Referring again to your dispatch of the 21st instant, I regret to learn that persons bearing my certificate have violated the confidence

ep[illegible]sed in them, and have been carrying letters through your military in[illegible]. I took not only the precaution you suggested of advising the pea[illegible]ers of the certificate what was required of them, but I exacted that eac[illegible]person should sign a parol, the form of which I think I sent you. I sr[illegible]rely trust it will not be found that any of my own countrymen are in the category to which you refer, but if they are, let the full judgmen[illegible]t of military law fall upon them. Your letter was received at so late an hour to-day that I cannot give you the further information you desire in regard to the Germans in prison in Paris. I think, however, I have got them all out. Numbers are now coming every day to my legat[illegible]on seeking pecuniary aid, and who have been reduced to the greatest m[illegible]sery. A benevolent clergyman brought me to-day a list of thirty-seven of these people, utterly without the means of supporting themselves. Were it not for the means your government has so generously placed at my disposal, their suffering would be incredible.

I have, &c.

E. B. WASHBURNE.

His Excellency COUNT DE BISMARCK,
&c., &c., &c.

No. 114.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *November* 19, 1870. (Received November 21.)

SIR: I have the honor to inform you, in answer to the letter which you did me the honor to address me on the 14th November, asking authorization to give passports to twenty-four of your countrymen who had already applied to you, that the military authorities have consented to it, exceptionally in consideration of this circumstance, and that orders have been given that these persons may cross our lines on the Creteil route if they present themselves furnished with passports delivered by you.

I have the honor to transmit herewith a bag of dispatches which has arrived from London to your address.

Please accept, sir, the assurance of my high consideration.

V. BISMARCK.

Mr. WASHBURNE,
Minister of the United States of America at Paris.

No. 115.

Mr. Washburne to Mr. Fish.

No. 321.] LEGATION OF THE UNITED STATES,
Paris, November 18, 1870. (Received December 12.)

SIR: I was in hopes before this time to have made to you a full and complete report of my action as connected with the protection of the subjects of the North German Confederation, Saxony, Hesse Grand Ducal, and Saxe-Coburg-Gotha, in France, with which I had been

charged, during the existing war between those powers and France. But as my duties still continue, I cannot now make a final report, which would have to embrace my account with the Prussian Government.

In the account for the contingent expenses of this legation, for the quarter ending on the 30th of September last, I have not included any of the items of expenditure pertaining to that business, for the reason that such expenses run into the present quarter, and that it would be better to have them all put into one account. I hope at the end of the present quarter to be able to include everything. I will state, however, for your general information, that such expenses so far scarcely reach a thousand dollars. These expenses, already paid and to be paid, independent of certain amounts to which I will hereafter allude, will not reach more than fifteen hundred dollars. All the items will be given in detail, and I hope the amount will not be regarded as extravagant when the extent of the service is considered. I was glad to know that the Department coincided with Mr. Bancroft and myself in the opinion that all these expenses should be paid by the United States. It would certainly have been unworthy of a great government like ours to permit itself to be paid for hospitalities extended to the subjects of other nations for whom our protection had been sought.

When, in accordance with your directions, in July last, I took upon myself the protection of the German subjects in France, I had but a faint idea of what the undertaking was going to involve, for I had hardly supposed it possible that I would be charged with the care and with the superintendence of the departure of more than thirty thousand people expelled from their homes upon so short a notice. From the time of the breaking out of the war, and as soon as it became known that the Germans had been placed under my protection, you can well imagine, considering so large a population, what would take place in that exciting period. The legation began to be crowded from day to day by persons desiring protection, advice, information, and assistance. Many were thrown into prison, charged with being "Prussian spies," many were under arrest as dangerous persons, and the lives and property of others were threatened in their neighborhood. My good offices were sought for and cheerfully rendered in all such cases, and I believe I never failed in accomplishing all I undertook in such emergencies. The first extraordinary order of the French Government, prohibiting all such Germans from leaving France who might by possibility owe military service, and about which I had so long a correspondence with the Duke de Grammont, created great alarm among a large number of them, who were extremly anxious to get away. The practical operation of that order prevented any German from leaving French territory without special authority to that end first had and obtained from the minister of the interior, and all applications for such authority had to be made through me; and after all this was changed, and the expulsion of the Germans decreed, it was required that I should visé the passports, or give a *laissez-passer* to every German leaving France.

I have spoken of thirty thousand as the number of Germans placed under my protection, and who were expelled from France. I make this estimate from the number of visas and passports which I gave out, and that number, as recorded in the legation, amounts to eight thousand nine hundred. In the rush and hurry of business there was no record made in many cases, and it is entirely safe to say that the whole number of visas and passports going through the legation amounted to not less than nine thousand; the larger number of these passports included the husband, wife, and children. It is a moderate estimate to say that

there was an average of three and one-third persons to each passport. That would make the thirty thousand souls.

We issued our own cards, which, by an arrangement with the railroad company, entitled the holder to a railroad ticket from Paris, through Belgium, to the German frontier, for nine thousand three hundred and thirty-two persons, and gave pecuniary assistance to a smaller number. This involved an examination of each person as to his or her want of the necessary means to get out of the country, for our instructions were not to make advances to people who had the means to pay their own expenses. It also involved the necessity of sending two or three persons from the legation to the railroad depot every night, in order to see that the holders of the cards received their railroad tickets and were properly sent off.

It was about the middle of August when the expulsion of the Germans from Paris began to be enforced and when I received the credit of fifty thousand thalers from the Prussian Government to assist them. From that time to the middle of September, when the Northern Railroad was cut, we were literally overwhelmed with these poor people, seeking the visas of their passports and the means of getting away. For days, and I may even say for weeks, the street was completely blocked up by them awaiting their turns to be attended to. On one day more than five hundred had gathered in front of the legation before seven o'clock in the morning; and in some days there were not less than from twenty-five hundred to three thousand persons in waiting. It took a police force of six men to keep the crowd back and keep the door open, so that the people could enter in their turn. With such an amount of work so suddenly thrown upon the legation, I found it almost impossible to get the necessary help to assist me, though authorized by the Department to employ the requisite force. I was fortunate in being able to procure the services of the secretaries of the Saxon and Darmstadt legations, and of the clerk of the Prussian consul-general in Paris, all of whom proved invaluable, from their knowledge of both the French and German languages. I had also the benefit of the services rendered voluntarily by your son, by Mr. Eustis, and by several other friends. Some days there were no less than eleven persons engaged at the legation, but with all the force we had it was impossible to keep up with the demands upon us.

And in further connection with this matter, I now beg leave to make a suggestion. I have stated what will be the probable amount of the expense actually paid out and to be paid out of the contingent fund. In my judgment that amount should be added to. The extra duties which have been devolved upon the two secretaries and the messenger of the legation have been arduous and responsible, and certainly such as had never been contemplated. Their duties have been discharged with a zeal and fidelity worthy of all praise. I think, therefore, in justice, that they are entitled to some extra compensation, and I hope it may be granted to them. I say this the more readily as I disclaim anything of the kind for myself. My salary is ample, and I would wish no extra compensation on any pretext whatever. Not so with the persons to whom I refer, for their salaries are low. When the extra and exceptional services they have rendered and the vastly increased prices of living consequent upon the siege are considered, I do not think a claim for extra compensation on their behalf can be considered as unreasonable. I shall hope, therefore, that Congress will consent that you shall allow Wickham Hoffman, the first secretary of legation, $600; Frank Moore, the second secretary of legation, $500; Antoine Schmidt, the

messenger of the legation, $300; and Antoine Roger, the concierge (who had to guard the door fourteen hours a day for two months), $100. These amounts, added to the expenses already incurred and to be incurred in this behalf, will not reach more than $3,000, which is not half the amount I have taken for passports since the war broke out, and which the state of war obliged our countrymen to have.

I will add a few observations in regard to the present condition of the Germans in Paris at the present time who are under my protection. Considering the large German population here prior to the breaking out of the war, it is not a matter of wonder that a good many were found here when all communication was finally cut off. When it became evident that the city was to be besieged, I redoubled my exertions to get these unfortunate people away. Deprived of all work, their little resources exhausted, the intense hostility of the French people toward them, bad as their condition was, it was to become infinitely worse in case of a siege. Many were in prison for vagabondage, and many were detained charged with being spies, dangerous persons, &c. Upon my application to Mr. Gambetta, he concerted with the Count de Kératry, the prefect of police, for their discharge *en masse*, and for sending them, at the expense of the French Government, to the Belgian frontier. But quite a number yet remained. Many were too old and infirm to leave. Some were sick, some were children left behind who had been put out to service; but perhaps the larger number were female domestics, most of whom had been persuaded by their employers to remain, under pledges of protection. But as the siege progressed and the price of living augmented, many of these persons, discharged by their employers or denounced to the authorities, were turned into the street, only to be arrested and imprisoned. In one of the prisons, which I visited some three or four weeks since, I found seventy-four persons of this class. I arranged for the release of most of them, and have had them comfortably cared for, and with the promise of the French authorities that they shall be protected. There are others yet in prison, and I hope soon to complete an arrangement for the release of all who do not stand charged with some criminal offense. Not a day passes now that there is not some new application for assistance. I have now one hundred and fifty that I am providing for. From the Prussian fund still remaining in my hands, I think I have sufficient to take care of them till the end of the siege.

In conclusion, I beg to say that the duties imposed upon me in virtue of the functions with which I have been charged in this regard have been laborious, responsible, and delicate, and it is perhaps too much to expect that I have discharged them in a manner entirely satisfactory to both the belligerent powers and to my own government. My position has sometimes been very embarrassing. None of the writers on public law, so far as I have been able to find, have laid down any rule to be observed, or refer in any manner as to what is proper to be done by the representative of a neutral power charged with the protection of the subjects of one belligerent power remaining in the country of the enemy during a state of war. I have had, therefore, to grope somewhat in the dark and do the best I could. I have not shrunk from any duty or any labor. During two months I was occupied every day from twelve to eighteen hours. When the pressure for the departure of the Germans was the greatest, I went myself to the railroad depot at night, after working all day at my legation, and remained till midnight to superintend their departure and to seek out and provide for cases of extreme destitution that had not been made known. You will permit me to say

that whatever services I have been able to render have been rendered most willingly and most cheerfully, for, with the means so generously placed at my disposal by the Prussian Government, I have had the satisfaction of relieving a vast amount of suffering and misery. It is pleasant to know that no complaint of any German has ever reached this legation of a failure on my part to do everything that could properly be done by me in respect of protection, advice, or assistance. On the other hand, all classes have signified to me their thankfulness and gratitude for what I have been able to do for them.

I will only add further, in closing this dispatch, that during the period about which I have been writing the business properly belonging to our legation was increased to an extent never before known, and I have endeavored faithfully and satisfactorily to discharge all the duties I owed to my government, and to our countrymen abroad who have in any manner sought my good offices, protection, or advice.

I have, &c.,

E. B. WASHBURNE.

No. 116.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *November* 19, 1870. (Received November 21.)

SIR: You kindly informed me by your letters of the 12th and 14th November that several Italian, Spanish, and Roumanian subjects, of whom a list was annexed, desired to obtain permission to leave Paris.

Referring to my letter of the 12th November, I beg you to inform those persons through the medium of their representatives at Paris, that the military authorities no longer give permission to any one to cross our lines, and that it is impossible for me at this time to obtain an exception in their favor.

I will be much obliged to you if you will send a similar communication to the proprietor of the Splendide Hotel, Place de l'Opera, who has addressed to me the same request.

Please accept, sir, the assurance of my high consideration.

V. BISMARCK.

Mr. WASHBURNE,
Minister of the United States of America at Paris.

No. 117.

Mr. Washburne to Mr. Fish.

No. 323.]

LEGATION OF THE UNITED STATES,
Paris, November 21, 1870. (Received December 12.)

SIR: The official dispatches from you, which came in the bag that arrived this morning, are acknowledged in another communication. By the bag that will leave to-morrow morning I cannot send you anything of much interest pertaining to military or political events. In fact, there have been no military movements for several weeks, and since the mis-

erable affair at the Hotel de Ville of the 31st ultimo, nothing of particular interest has taken place in the city. Everything is quiet even to dullness. The reported advantage gained by the French at Orleans has done much to encourage the Parisians, and there is a disposition now manifested to hold out to the last. Yet, should there be news of disaster, all may change, and the siege may be raised before this reaches you. We remain in ignorance for a long time as to what is going on in the outside world. No newspapers get into Paris except those that come to this legation. Our last London dates are of the 10th instant. The latest New York papers are of the 29th ultimo.

The people are suffering their privations with a good deal of fortitude. If they could be made to believe that France could be saved they would suffer to the last extremity. As it is, I can see no prospect of the siege being raised in any way. I shall not be as much surprised in seeing the city now hold out till January as I have been already in seeing it hold out so long as it has. There has been no *real pinch* up to within a short time, but now things are getting to be a little hard. Fresh meat, including horse and mule, is very nearly exhausted. Poultry, butter, cheese, &c., are about out of the question. A turkey sells for sixteen dollars, a chicken for five dollars. Butter sells for four dollars a pound. There is yet quite a quantity of vegetables, but at high prices. The price of bread is fixed by law, and it has not raised much. Wine is abundant and cheap. The time is not far distant when the great mass of the people of Paris must live on bread and wine almost entirely.

No members of the diplomatic corps have left for several weeks, and I believe that those who are now here propose to remain to the end. No foreigners at all are now leaving Paris.

I have, &c.,

E. B. WASHBURNE.

No. 118.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, November 21, 1870.

SIR: I had the honor to write you a week ago that I thought I had nearly all the Germans out of prison. That statement would have been very nearly true two weeks ago.

But after I received your letter of the 12th instant, I caused a further inquiry to be made, and I now find that there have been about a hundred Germans arrested and put into prison within the last two weeks. Though I have been diligently at work for a week, I have only got the list at noon to-day, and have not been able to look it over. I shall to-morrow cause an examination to be made, and shall take such steps in regard to the parties imprisoned as may seem to be proper. The list I inclose herewith will show to you the number of Germans I am taking care of. The funds I have on hand I believe are ample to meet all the expenditures I shall be called upon to make.

I have, &c.,

E. B. WASHBURNE.

His Excellency Count de BISMARCK,
&c., &c., &c.

No. 119.

Mr. Favre to Mr. Washburne.

PARIS, *November* 28, 1870.

SIR: The minister of war has sent me, and I have the honor to transmit to you, a list of the German prisoners of war held in Paris up to the 24th of the present month. I shall be very much obliged if you will transmit this document to the Prussian Government, and also repeat the request formerly made by the intermediary of Lord Loftus for a list of the French prisoners of war in Germany.

You will also find herewith a sealed package containing certain articles and papers which belonged to Mr. Jacholing, Gustave Librecht, chasseur of the second company of the eleventh battalion, killed at the advance post before Vincennes. I shall be thankful if you can take measures to send this package to the family of the deceased, who was born the 1st March, 1849, at Bonney (government of Magdebourg).

Receive, &c.,

JULES FAVRE.

Mr. WASHBURNE,
Minister of the United States, at Paris.

No. 120.

Mr. Washburne to Mr. Fish.

LEGATION OF THE UNITED STATES,
Paris, December 3, 1870. (Received December 30.)

No. 32.

SIR: I have received both from Mr. Motley and Mr. Bancroft a copy of your telegraphic dispatch of the 15th ultimo, in which you state that the President instructs you to say that whenever General Read and myself, or either of us, desire to leave Paris, we are at liberty to do so, going to "Tours and communicating with the proper officials there." I have communicated the message to General Read, and we are both very grateful to the President and yourself for your kindness in this regard.

The dispatch leaves it discretionary with me to remain in Paris, or go out and repair to Tours. It is, therefore, for me to determine what, in my judgment, the interests of my government requires, and what my duty is in the premises. If I were shut off from all communication with you it might be important that I should leave here in order to hold intercourse with you. Such is not, however, the case at present, for I am now enabled to send dispatches to you and receive them from you once each week, which is as much as I would be likely to do were I at Tours. That being the case, the question for me to decide is, where can I be of the most service, in Paris or in Tours? I have no doubt on that subject, and great as my desire is to get out of this besieged city and to join my family, from whom I have been so long separated, I consider it my duty to remain here, at least for the present. Paris is the seat of government of the country to which I am accredited, and is the seat of the present provisional government of the national defense, which has been duly recognized by the United States. And here is also the minister of foreign affairs, with whom I have to be more or less in com-

munication. There are yet remaining in Paris some one hundred and fifty Americans, many of whom have been unable, for various reasons, to get away, and some of whom have remained here because I have remained.

The French Government having heretofore given them every opportunity for leaving, which they did not take advantage of, now declines, for military reasons, to permit the people of any nationality to leave Paris. Therefore, my countrymen now here all look to me for a certain protection, and they would much regret to see me go away, leaving them behind. There is also a large amount of American property in Paris under my protection, and circumstances may arise when it might become important for me to be here.

Independently of what belongs to our own legation, I am more or less occupied every day with the affairs of the North German Confederation. I am now furnishing three hundred and forty-one poor Germans pecuniary assistance, and the number is increasing every day. It is impossible for the messenger of the legation to attend to them all, and I have had to employ a man specially for that purpose.

Under all the circumstances, therefore, I think my determination to remain at my post will meet with the approval of the President and yourself.

I have, &c.,

E. B. WASHBURNE.

No. 121.

Mr. Washburne to Mr. Fish.

No. 327.] LEGATION OF THE UNITED STATES,
Paris, December 3, 1870. (Received December 30.)

SIR: I have the honor to inclose you herewith a copy of a letter addressed by me to Mr. Jules Favre, on the subject of a tax which the city authorities have sought to impose upon the apartments of such persons as had left Paris for any other cause except that of the *public* service. Mr. Favre concurs with me in the opinion that the tax cannot be properly levied on the apartments of foreigners, and that the municipal authorities will not attempt to enforce it as against our countrymen. If they do he promises to bring the matter before the government.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.]

Mr. Washburne to Mr. Favre.

LÉGATION DES ÉTATS-UNIS,
Paris, November 23, 1870.

SIR: Your excellency is aware that before the breaking out of the war a large number of my countrymen were living in Paris and occupying apartments. But when the government issued a notice, through the official journal, "that the interest of the defense demands that those persons *not able to oppose the enemy* should leave Paris," the greater portion of them obeyed the request. On the 7th of September last, a decree was issued putting a graduated tax (according to the rent paid) on all apartments of people who had left Paris for any other cause except that of the "public service." This decree attracted my attention at the time it was issued, but I supposed it could only refer to French citizens who owed an obligation to the French Government, and whose duty it was to remain in Paris, and not to citizens of the United

ıtes, who, as citizens of a friendly and neutral power, could not be called upon to ppose the enemy."

I am surprised to learn, however, that the municipal administration of the city has ıstrued the decree of the 7th of September as applying to *all foreigners* in Paris who d gone out of the city, leaving their apartments vacant, instead of confining it to ıse persons whose nationality imposed upon them the duty of remaining in the ›ital. The most cursory examination of the question by your excellency will show you the hardship and inconsistency of this view of the city authorities. My coun-ymen, who could not be called upon "to make face to the enemy," were invited by e government to leave Paris. They accordingly departed and left their apartments ıcant, but charging me with the general protection thereof. If they had remained here "*bouches inutiles*" and occupied their apartments, in opposition to the expressed ish of the government, no assessment would have been levied upon them; but as ıey left in obedience to the invitation of the government, it is now sought to impose ı them a penalty.

Under the circumstances, therefore, I think your excellency will agree with me hat the enforcement of such a penalty would be in contravention of those principles f natural justice which lie at the foundation of all good governments.

I take this occasion to assure your excellency of the high consideration with which have the honor to be

Your excellency's obedient servant,

E. B. WASHBURNE.

No. 122.

Mr. Washburne to Mr. Fish.

No. 328.] LEGATION OF THE UNITED STATES,
Paris, December 5, 1870. (Received December 30.)

SIR: For military reasons the authorities were obliged to decline giving me a "*parlementaire*" for last Tuesday morning, the 29th ultimo, to take my dispatches to the Prussian outposts. I now hope to have one for to-morrow morning; and if so, my dispatches will only be one week behind. I received a bag from London last Tuesday afternoon, with London papers up to the 18th, and New York papers up to the 3d ultimo. I was disappointed, however, in getting nothing whatever from the department.

Military operations around the walls of Paris began in earnest on Tuesday, the 29th ultimo. There was heavy fighting on Wednesday, the 30th ultimo, and on Friday, the 2d of December. Though I could hear these battles raging distinctly from the windows of the legation, I am unable to give you any particular information in regard to them. As a movement to break through the Prussian lines, it was a failure; as a fight, the French claim an advantage. As the newspapers are forbidden to say anything, and as the official journal does only vouchsafe to us a few solemn official lines, we are utterly in the dark as to the real results of the fighting which actually took place. No statement has yet appeared of the losses of the French in killed, wounded, prisoners, missing, &c. I do not know that I can do anything more, or anything better, than to send you all that has appeared in the official journal in regard to military matters during the last week. The results of the battles, such as they are, and the news received from the provinces during the last week, have done much to inspirit the people of Paris. The *morale* of both people and soldiers has greatly improved. I do not think the prospects for a successful sortie are very good, and unless it is understood that the armies which are supposed to exist in the provinces have been substantially annihilated, the siege may yet last for a long time. At present the authority of the government is supreme, and all Paris is confronting its sufferings with fortitude and courage. But no

one can tell how soon this may all change. The weather is now excessively cold for the season, and the privations of the people are very great.

Another sortie is talked of very soon, and if it takes place as is expected, you will hear of it long before this dispatch will reach you.

I have, &c.,

E. B. WASHBURNE.

No. 123.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, December 5, 1870.

SIR: I have the honor to inclose you herewith a list of the names of all the persons belonging to the nationalities at present at war with France, and who are now imprisoned in Paris. They are not charged with any crime, but have been arrested for being found here after they had been ordered to leave, and for being without any means of existence.

Their situation is miserable enough, but they are treated, perhaps, as well as could be expected, when you take into consideration the existing state of things in Paris. If they were released they would have to be subsisted by this legation, and then they would have to be exposed to the hostility of the people of the city. I await instructions in this regard. The number of poor Germans applying for pecuniary assistance at my legation is increasing every day. It has now reached two hundred and thirteen families, and, including children, there are four hundred and ninety-six souls.

I now have to employ a man specially to look after them. A great number of these people, reluctant to leave their homes and not supposing that hostilities could last long, determined to remain in Paris, keeping themselves mostly out of sight. They have now, however, exhausted all their means and eaten their last morsel. As a last resource they came to me to relieve their absolute necessities. Without the assistance I render them, through the generosity of your government, they would inevitably starve. I have as yet ample means in my hands for the present emergencies, but I do not know how many more will apply to me, and how long I shall have to support them.

I have, &c.,

E. B. WASHBURNE.

His Excellency COUNT DE BISMARCK, &c., &c., &c.

No. 124.

Mr. Favre to Mr. Washburne.

PARIS, *December* 10, 1870.

SIR: You were kind enough to communicate to me on the 8th of last month the copy of a letter from the Count de Bismarck, offering a general exchange of all the persons belonging to the German armies who are at present prisoners in France, against a like number of French soldiers of equal rank. Following the mode proposed, the exchange

should be effected by commencing, as nearly as possible, with those who have been longest in captivity, and deciding by lot when the circumstances will not admit of applying this rule.

I have advised with my colleagues, the ministers of war and of marine, and I hasten to inform you that we accept the proposition of the confederation. It will be understood that the sailors taken in the commercial vessels captured by our naval forces will participate in the proposed exchange, the captains being treated upon the same footing as lieutenants and sublieutenants.

I am not able to give the total number of prisoners of the different categories actually in our power. It would be necessary to advise with the delegation of the government sitting at Tours in regard to this, and in all probability, Mr. de Bismarck would not refuse to facilitate the communication necessary to arrive at an understanding.

I take the profit of this occasion to ask that you will call the attention of the Count de Bismarck to the demand which has heretofore been addressed to the Prussian Government by the intermediary of the English embassy relative to Mr. Dubone, sublieutenant of the fifty-seventh regiment of infantry, wounded in the thigh at the engagement of the 18th of August, and amputated at the Prussian ambulance of Jérusalem (commune of St. Privat la Montague, canton and arrondissement of Briez, department of the Moselle).

The gravity of the wound of this officer makes it just to return him without exchange, according to the 36th article of the Prussian regulations in regard to prisoners of war, and the 6th article of the convention of Geneva.

Receive, &c.,

JULES FAVRE.

Mr. WASHBURNE,
Minister of the United States of America, Paris.

No. 125.

Mr. Favre to Mr. Washburne.

PARIS, *Sunday, December* 11, 1870.

SIR, AND VERY DEAR MINISTER: I have the honor to bring to your notice a fact to which I beg you will call the attention of the Count de Bismarck. I am sure he will recognize that the reclamation is just in every particular. The president of the international society for aiding the wounded has informed me that on Thursday, the 2d December, one of the chaplains of our ambulances, the Abbé Bouquet, vicaire at St. Germain des Près, in pursuing his charitable mission on the heights of Champigny, was taken and retained by the Prussians.

The Abbé Bouquet wore the badge and had his certificate of identity. He was therefore protected by the German convention and by the laws of war, and I shall be glad to learn that the Prussian authorities, being informed of these facts, will hasten to liberate the Abbé Bouquet.

Kindly receive, sir, &c.,

JULES FAVRE.

Mr. WASHBURNE,
Minister of the United States of America, Paris.

No. 126.

Mr. Washburne to Mr. Bancroft.

LEGATION OF THE UNITED STATES,
Paris, December 12, 1870.

MY DEAR COLLEAGUE: I have the honor to acknowledge the receipt of your favor of the 22d ultimo. Nothing would afford me greater pleasure than to serve our Danish friends, and I will go and see the Danish minister here as soon as I am able to leave my house, to which I am confined by the *Paris grippe*.

I fear, however, nothing can be done, as the military authorities on both sides are unwilling to permit anybody to leave these gay and festive scenes.

It seems impossible for me to avail myself of the permission of the President to leave Paris.

There are so many of our country people here who are leaning on me, and so much American property to look after; and then I have a great deal to do as the protector of the Germans—I am furnishing pecuniary aid to six hundred—and who would starve were it not for the generosity of the Prussian Government.

I hope for an *end* sometime—but *when?*

E. B. WASHBURNE.

His Excellency Mr. BANCROFT.

No. 127.

Mr. Washburne to Mr. Fish.

No. 332.] LEGATION OF THE UNITED STATES,
Paris, December 12, 1870. (Received January 4, 1871.)

SIR: I have the honor to send you herewith a translation from the "Journal Officiel" of December 8 of the government report of the battle of Villiers, and of the military movements immediately connected therewith.

I am, &c.,

E. B. WASHBURNE.

[Inclosure.]

[From the Official Journal, December 8, 1870.]

The late sorties made by the army of Paris on the 29th and 30th of November, and on the 1st, 2d, and 3d of December, led to engagements on most of the points of the enemy's lines of investment.

On the evening of the 28th of November operations commenced.

To the east, the plateau of Avron was occupied by the seamen of Admiral Talisat at 8 o'clock, supported by the division of Hugues; a powerful artillery of pieces of long range was placed in battery on this plateau, threatening, at a great distance, the positions of the enemy, and the roads used by their convoys at Gagny, Chelles, and Gournay.

To the west, in the peninsula of Gennevilliers, earth-works were begun under the direction of General de Liniers; the batteries were armed anew, gabions were placed, and rifle-pits dug in the islands of Marante, of Bezons, and on the railroad to Rouen.

The next day General de Beaufort ended the operations on the west side, making a reconnaissance toward Buzenval and the heights of Malmaison, resting on his right, which joined the troops of General de Liniers in front of Bezons.

The 29th at daybreak the troops of the third army, under General Vinoy, made a sortie on Thiais, l'Hay, and Choisy-le-Roi, and the fire of the forts was directed on several points remarked as selected for the concentration of the enemy's troops.

Movements executed during the two preceding days had filled the plain of Aubervilliers with numerous forces, and united the three corps of the second army under the orders of General Ducrot, on the banks of the Marne.

The 30th November, at the break of day, bridges, prepared out of sight of the enemy, were thrown across the Marne near Nogent and Joinville, and the two first corps of the second army, led by Generals Blanchard and Renault, rapidly effected the passage of the river with all their artillery. The success of this movement had been secured by a sustained fire of artillery from the batteries of position placed on the right bank of the Marne at Nogent, at Perreux, at Joinville, and in the peninsula of Saint-Maur.

At nine o'clock, these two corps d'armée attacked the village of Champigny, the wood of the Plant, and the nearest portions of the plateau of Villiers. At eleven o'clock, all these positions were carried and intrenchments were already commenced by the troops of the second line, when the enemy made a vigorous forward movement, supported by fresh batteries of artillery. At this moment our losses were serious; in front of Champigny, the Prussian pieces in position at Chennevières and at Cœnilly forced back the columns of the first corps, while a heavy infantry force, descending from the intrenchments of Villiers, charged the troops of General Renault. At this point was owing to the vigorous efforts of the artillery under the command of Generals Trébault and Boissonet that the advance of the enemy was checked.

Thanks to the changes made in our batteries, the Prussian artillery was partly dismounted, and our men, led to the charge by General Ducrot, took final possession of the crests.

During these operations, the third corps, under the orders of General d'Exéa, advanced in the valley of the Marne as far as Neuilly-au-Marne and Ville-Evrard. Bridges were thrown across the Petit-Bry, and Bry-au-Marne was attacked and occupied by Bellemare's division. Its advance, delayed by the passage of the river, was continued beyond the village as far as the slopes of the plateau of Villiers, and the efforts of its column aided in taking possession of the crests effected by the second corps in front of Villiers. In the evening our bivouac fires extended over all the hill-sides of the left bank of the Marne, while those of our reserve blazed on the slopes of Nogent and Fontenay.

The same day, November 3, the division of Susbielle, supported by a strong reserve of the "bataillons de marche" of the National Guard, advanced in front of Créteil and carried the positions of Mesley and Montmesley, which they occupied till evening. This diversion on the right of the operations of the second army was supported by fresh sorties, made on the left bank of the Seine, towards Choisy-le-Roi and Thiais, by the troops of General Vinoy.

To the north, Admiral La Roncière, supported by the artillery of his forts, occupied Drancy and the farm of Groslay in the plain of Aubervilliers; strong bodies of the enemy were thus drawn to the banks of the rivulet, the Morée, behind the bridge of Blanc. Toward two o'clock, the admiral passed through Saint Denis, and, at the head of fresh troops, directed an attack on Epinay, which our soldiers, supported by the batteries of the peninsula of Gennevilliers, successfully occupied.

The 1st December there were only some skirmishes of sharpshooters at the beginning of the day in front of the positions of the second army; the fire of the plateau of Avron continued to disturb the movements of the enemy at Chelles and at Gournay, as he concentrated his troops in large numbers (at night particularly), with a view to bringing up fresh forces behind the positions of Cœnilly and of Villiers.

December 2, before day, the fresh forces, thus concentrated, attacked the positions of the army of General Ducrot; on the whole line the attack was made suddenly and unexpectedly upon the advanced posts of the three corps d'armée, from Champigny as far as Bry-au-Marne.

The effort of the enemy failed; supported by a considerable force of artillery, our troops, notwithstanding the losses they sustained, opposed the most solid resistance. The fight was long and terrible. Our batteries checked the advance of the Prussian columns on the plateau; at 11 o'clock the efforts of the enemy were entirely defeated. At 4 o'clock the fire ceased, and we remained masters of the field of battle. The 3d of December, without the enemy being able to harass our retreat, aided by the fog, 100,000 of the second army recrossed the Marne, leaving the Prussian army to carry off its dead.

Our losses on these several days were—

Officers:

	Killed.	Wounded.
Second army	61	301
Third army	8	21
Army corps of Saint Denis	3	19
	72	341

Soldiers:

	Killed.	Wounded.
Second army	711	4,[illegible]
Third army	192	3[illegible]
Army corps of Saint Denis	33	21[illegible]
	936	4,[illegible]

Résumé.

	Killed.	Wounded.
Officers	72	341
Soldiers	936	4,[illegible]
	1,008	*5,[illegible]

A detailed report addressed to the minister of war will be published hereafter. The losses of the enemy were very considerable; they are in proportion to the efforts to made to carry our positions. Overwhelmed by a formidable artillery fire on all points where he showed himself, our projectiles reached his most distant reserves. In addition, officers, prisoners of war, have stated that several regiments were annihilated by the fire of our infantry in front of Champigny.

By order.

SCHMITZ,
General Chief of Staff.

No. 128.

Mr. Washburne to Mr. Fish.

No. 335.] LEGATION OF THE UNITED STATES,
Paris, December 12, 1870. (Received January 4, 1871.)

SIR: Since my dispatch of one week ago to-day, No. 328, no events of any importance have transpired in Paris. The extreme cold weather of the last week has prevented any military operations about the city. It is said that preparations are going on for another sortie, and, if the weather be favorable, that it is likely to take place the last of this week. In the Paris journals that I have the honor to transmit you herewith, you will find the correspondence between Moltke and Trochu, which will explain itself. The news of the defeat of the army of the Loire, and the retaking of Orleans, as communicated by Moltke, seems to have made but a very little impression on the people of Paris. General Trochu has been fully sustained in his refusal to send an officer to verify the facts, as suggested by Moltke. The government of the National Defense and the people of Paris seem to have abandoned all idea of an armistice, or of a peace, and to have made up their minds to resist to the last extremity, and until every resource is exhausted. There are various opinions as to the length of time the city can hold out. Yesterday there was a great bread panic, but it is allayed to-day by the announcement in the official journal that there is bread enough, and that there is no necessity of any rationing for the present. I think

* It is to be observed that in this number of wounded soldiers are included at least one-third slightly wounded, not sent to hospital.

e prevailing opinion is that it is possible for the city to hold out until e 1st of February, but that must be guess-work to a very consider-ble extent. A good many people think that the provisions will give it suddenly, to be followed by an irresistible clamor for a surrender. 'e shall see. You may infer from what I have written that I do not :pect to see the siege raised by a successful sortie. Everything seems most as bad as can be for the people of Paris as well as France. The ffering in the city is much aggravated by the extreme and unsea-nable cold weather. The mortality last week was frightful, over two ousand. A great many old people and a great many children perish om the want of suitable food and from the cold.

I have, &c.,

E. B. WASHBURNE.

No. 129.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *December* 14, 1870. (Received December 20.)

SIR: After the combats of the 2d of December near Champigny, Mr. e Lorenz, second lieutenant in the one hundred and eighth regiment f Saxon Chasseurs, had disappeared, and it has been impossible to scertain what has become of him.

At the instance of his family, whose anxiety I would be glad to be ble to appease, I beg that you will kindly take steps to ascertain if Ir. de Lorenz is found among the prisoners, if he has been wounded, nd, if he is wounded, whether his wound is dangerous.

Please to accept, sir, the assurance of my high consideration.

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America at Paris.

No. 130.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *December* 15, 1870. (Received December 20.)

SIR: I had the honor to receive your letter of the 30th of November, with the inclosed list of German prisoners of war held in Paris.

In relation to the desire expressed by Mr. Jules Favre to obtain in exchange a list of the French prisoners of war confined in Germany, I have had to consult in the first place with my colleague, the minister of war. It appears from a communication which he has just sent me on this subject that the names alone would require about 3,000 sheets, that is 12,000 pages of writing, at the rate of 25 to 30 names per page; a labor, therefore, which would take much time, and could not be completed within some months.

The Government of the King will be entirely willing to send him,

whenever he shall express the desire, the information which is at its disposition in regard to French prisoners of war confined in Germany who may be designated by him for that purpose.

Please accept, sir, the assurance of my high consideration.

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America at Paris.

No. 131.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *December* 15, 1870.

SIR: I have had the honor to receive your letter of the 3d of December with its inclosures in relation to the arrest of M. de Raynal.

After making new inquiries on this subject of the military authorities, I can only confirm what I had the honor to say to you in my letter of the 19th of December, that M. de Raynal brought this measure upon himself by clandestine correspondence which he kept up, not only with Paris, but also with Tours.

It appears, besides, from information which comes to me in regard to this affair, that M. de Raynal is confined at Minden, and that orders have been given to allow him all the facilities compatible with his position. Nothing prevents his father, therefore, from sending him assistance in money.

Please to accept, sir, the assurance of my high consideration.

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America at Paris.

No. 132.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *December* 18, 1870. (Received December 20.)

SIR: You were so obliging as to send me with your letter of the 10th of December a copy of a communication from Mr. Jules Favre, of date the 10th of this month, in which he informs you of the resolution of the French Government to accept the proposition contained in my letter of the 8th of December, in relation to a general exchange of prisoners of war, on condition, however, that the sailors of the German commercial marine captured by the French naval forces shall participate in the exchange in question.

I have the honor to inform you that the King's government finds itself obliged, to its regret, to decline the proposition in the terms formulated by M. Jules Favre.

I have already protested in a note of date the 4th of October last,

ldressed to the delegation of the French Government at Tours, against ie proceedings employed with regard to the German sailors of the ommercial marine, pointing out the fact that by their condition they re foreign to the military operations, and that the French Government oes beyond its rights in holding them as prisoners of war. In his re-ly of the 28th of October, the Count de Chaudordy claimed to justify his mode of action by arguments drawn from the ancient maritime rdinances of the fifteenth, sixteenth, and eighteenth centuries, the stipu-itions of which are in flagrant contradiction with the principles of modern ivilization, alleging that our sailors of the commercial marine should ot be considered as disconnected with military operations, our laws ermitting them to be called into the active service at any moment. These arguments were answered by me in a note addressed to the dele-ation of the French Government at Tours on the 16th of November, which remains as yet without reply.

I pointed out particularly that if the mere possibility of being called nto the service established in the eyes of the French Government the ight to hold as prisoners of war peaceable citizens who were solely occupied with their trade, we would have an incontestable right, and one much better founded, to seize every Frenchman who fell into our power—all French citizens, without exception, under forty-five years of age, being called into the service. The King's government can only adhere to this view, which seems in all respects well founded, and which will not permit it to surrender, in exchange for peaceable citizens whose captivity is in contradiction with the principles of modern law, officers and subalterns called to render active and immediate service in the French army. In giving up an equal number of French citizens arrested and confined in Germany as hostages for the safety of the sailors of the commercial marine, it believes that it offers a just equivalent for their liberation.

If the government of the National Defense persists in making the participation of the sailor a condition of the exchange of prisoners of war, it is necessary to renounce an agreement on this measure, and the King's government will confine itself to arresting in all the French cities, as they are occupied by our troops, the principal inhabitants, who will be treated as prisoners of war, and will undergo the same fate as our sailors of the commercial marine unjustly retained as captives in France.

Please accept, sir, the assurance of my high consideration,

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States at Paris.

No. 133.

Mr. Washburne to Mr. Fish.

No. 338.] LEGATION OF THE UNITED STATES,
Paris, December 19, 1870. (Received January 14, 1871.)

SIR: There have been no military movements in or about Paris for the last week, and since my dispatch No. 335; but, on the other hand, the greatest quiet has prevailed. It now seems to be well understood that another sortie is to be attempted day after to-morrow, the result of which you will learn long before this reaches you. There is not the

least indication of yielding on the part of the people of Paris, and I see no reason to change the opinion I have hitherto expressed, that the city may hold out until the 1st of February. The surrender appears inevitable, and now only a question of weeks. Peace is regarded by every one as entirely out of the question. The Prussians will hold military possession of Paris, and of course there will not be even the shadow of a French Government here. I shall hope to have full instructions as to the course that I shall pursue in the emergencies which are so certain to arise. The telegraph will inform you of the events as they occur, and perhaps it may be necessary for you to advise me by a telegraphic dispatch sent to our minister in London. Unless something unforeseen occurs, I propose to remain here till the end. The last dispatch-bag that I have received left London on the 25th ultimo. We have no news from outside since that date, except the merest scraps brought by pigeons, and a few items from certain German newspapers that have by some means found their way into Paris. In one of these journals is a very brief abstract of the President's message, from which I am glad to learn that the President testifies that I have acquitted my mission, as the protector of the Germans residing in France, in a "satisfactory manner." I am afraid it will be a long time before I get the message in full, the reports of the heads of the Departments, and the first day's proceedings in Congress. The date of your last dispatch is the 10th ultimo, and the last New York dates are of the 12th ultimo.

I have, &c.,

E. B. WASHBURNE.

No. 134.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, December 19, 1870.

SIR: I have the honor of sending you herewith a copy of a letter addressed to me by Mr. Jules Favre, with the inclosures.

The number of poor Germans to whom I am now giving succor has increased to eleven hundred and seven souls, and additional ones are coming in every day. Indeed, my legation is now crowded every day with these unfortunate people in the last stage of misery. I give to each one all proper aid.

Very truly, &c.,

E. B. WASHBURNE.

His Excellency Count de BISMARCK,
&c., &c., &c.

No. 135.

Mr. Washburne to Mr. Fish.

No. 341.] LEGATION OF THE UNITED STATES,
Paris, December 26, 1870. (Received January 21.)

SIR: Referring to my dispatch No. 327, in relation to the tax which the city government proposed to levy on the apartments of our country-

ıen who had left Paris, and to my letter on that subject addressed to Ir. Jules Favre, I now have the pleasure to send you herewith a transıtion of a letter which I have just received from Mr. Favre on that subıct. You will be pleased to see that the government does not propose ɔ press the collection of the tax in question.

I have, &c., E. B. WASHBURNE.

His Excellency Count de BISMARCK,

&c., &c., &c.

[Inclosure.]

Mr. Favre to Mr. Washburne.

PARIS, *December* 24, 1870.

SIR: You did me the honor to write to me on the 24th of November last to inform me of the objections made by your fellow-citizens to the tax upon absentees.

The member of the government of the National Defense who has been appointed mayor of Paris has informed me that, having examined the question afresh, he has decided that no further steps shall be taken against the persons to whom notice has been sent.

I hasten to inform you of this decision.

Receive, &c., JULES FAVRE.

No. 136.

Mr. Washburne to Mr. Fish.

No. 342.] LEGATION OF THE UNITED STATES,

Paris, December 26, 1870. (Received January 21, 1871.)

SIR: The "sortie" about which I had the honor to write you on the 19th instant was attempted on Wednesday last, and proved entirely unsuccessful. The loss of men in battle was not very serious, but the army suffered immensely from the intense cold weather of the last five days. I should judge that there will be no further military operations attempted for some time. The failure of the sortie and the great suffering of the army have produced a very bad impression in Paris, and the clubs have become extremely violent. I shall not be surprised to see very serious disturbances take place. Hunger and cold will do their work. The wood-riots have already commenced.

I received, on Tuesday afternoon last, after I had sent off my dispatches, two dispatch-bags from London, one of them leaving there on the 2d, and the other on the 10th instant. The bag leaving on the 10th brought only your official dispatches, and no newspapers. I therefore have London papers only to the 2d instant, and New York papers only to the 19th ultimo. I am, therefore, without intelligence from the outside for a very long time, except some little items taken from German papers found on prisoners captured in the fight of Wednesday. The most important item of news is the reported denunciation by Prussia of the Luxemburg treaty of 1867, and it has created quite a sensation here. Not enough is known about the matter, however, to enable any judgment to be formed as to the figure it is to cut in the present situation.

The mortality of the city continues to be very great. The number of deaths last week was 2,728, which is the *precise number* of the week previous. The suffering here has increased very much during the last week, and if it keeps on, and there are no military successes to keep up the spirits of the people, I am not so clear that my prediction in my

dispatch No. 337, in regard to the time the city might hold out, will be verified.

The number of poor Germans who are coming to me for aid is increasing very fast. They now number *fifteen hundred and forty-seven*, and are increasing daily. Our legation is thronged with them every day, from morning till night. I have been compelled to employ two additional men to help me. If this thing is to continue, the charge upon the contingent fund will be larger than I have heretofore estimated.

I have, &c.,

E. B. WASHBURNE.

No. 137.

Mr. Favre to Mr. Washburne.

[Translation.]

PARIS, *December* 27, 1870.

SIR: The minister of war has sent me a package of letters and papers found upon the person of Mr. Adolphe Hermann Peters, a soldier of the one hundred and sixth regiment of Prussian infantry, who was found on the battle-field of Villiers-sur-Marne, the 1st of December, and taken to the hospital of Ste. Anne, where he died on the 5th of same month from the effects of his wounds.

I hasten to send you herewith the divers papers, and pray you will be kind enough to forward them to the German authorities.

Receive the assurance of the very high consideration with which I have the honor to be, &c.,

JULES FAVRE.

Mr. WASHBURNE,
Minister of the United States of America at Paris.

No. 138.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *December* 27, 1870. (Received December 30.)

SIR: Lord Howden, living at No. 28 Cour la Reine, Paris, has applied to me for permission to cross our lines. His name must have been forgotten by the English embassy in the list of the English desiring to leave Paris, and I beg you to consider him as belonging there, and inform him that he can pass through our advance posts on the route to Creteil if he presents himself, furnished with a passport in due form, and a pass signed by you, leaving no doubt as to his identity. It is indispensable that no precaution be neglected on this last point, as our good faith has been taken advantage of several times by persons who have left Paris without our consent by taking the name and place of some foreigner authorized to cross our lines.

Please to accept, sir, the assurance of my high consideration.

V. BISMARCK

His Excellency E. B. WASHBURNE,
Minister of the United States of America at Paris.

No. 139.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *December* 27, 1870. (Received December 30.)

SIR: It appears by an official report to the military authority that on the 23d of this month shots were fired by French soldiers at the German officer charged with taking letters to the advanced posts of the enemy at the moment when he was about to leave the bridge of Sévres, and while the flags of truce were flying on both sides.

At the commencement of the war, our officers, and the trumpeters who accompanied them, were often, I may say regularly, victims of the disregard by the French troops of the rights of the bearers of flags of truce; it became necessary to give up all communication of this kind, in order to no longer expose our soldiers to the dangers which appeared to be inseparable from it. For some time past they seem to have returned to a stricter observance of the law of nations universally recognized, and it has been possible to maintain regular relations with Paris, established with a special view to facilitating the sending out of dispatches from your legation.

The case occurring on the 23d proves anew that our flags of truce are not safe within the range of the guns of the French soldiers, and we will be obliged to give up the exchange of communication with the enemy unless there are serious guarantees against the recurrence of similar aggressions.

I beg you, therefore, sir, to be good enough to inform Mr. Jules Favre of what occurred on the 23d of December last, and to insist on severe measures against infractions, which, for the sake of our soldiers, we can no longer admit. If the Government of the National Defense desires to continue in future to have communications by flags of truce, it will not hesitate to recognize the justice of our demands and to order an inquiry into the facts of which we complain, as well as the punishment of the guilty. Until it sends us a communication that is satisfactory in this regard, containing guarantees for the future, we shall be obliged to suspend relations which are only admissible under the protection which the most conscientious observance of the rules of the international laws of war ought to give to them.

Please to accept, sir, the assurance of my high consideration.

v. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America at Paris.

No. 140.

Mr. Washburne to Mr. Fish.

No. 344.] LEGATION OF THE UNITED STATES,
Paris, January 2, 1871. (Received February 4.)

SIR: Nothing of very great importance has taken place during the last week. The French have been driven off the plateau of Avron by the Prussian artillery, and three of the French forts have been severely

bombarded. No very great damage has as yet been done to the forts, but I think the French military authorities have been greatly surprised at the long range and heavy metal of the Prussian guns. Many people are now predicting that the Prussians will have possession of one of the French forts before long. Such possession would enable them to bombard the city. As for myself, I have no information to enable me to form any opinion on the subject. The excessive and exceptional cold weather continues, and the suffering in the city is steadily increasing. The fuel famine is likely to become as severe as the food famine. The deaths in the city for the last week, independent of the number dying in the military hospitals, amounted to the frightful number of 3,280. Great discontent is now prevailing among the poorer classes, but yet there seems to be a disposition to hold out to the last extremity. Opinions differ as to the length of time the city can stand, but I think the prevailing idea is that it will not surrender till the 1st of February. There are some who even think it will hold out longer than that. It is all speculation at best. I have myself been so often at fault on this subject that I will not hazard a further opinion.

The number of indigent Germans who are now calling on me for assistance is increasing fearfully. It amounts to-day to *seventeen hundred and fifty-three.* They are suffering severely, in spite of all I can do for them. They have become so numerous that the legation could not accommodate them, and so I have hired a small room on the ground floor immediately under our legation, where I have their wants administered to. I am doing everything in my power to alleviate the sufferings of these unfortunate people, but if the siege continue much longer, I really do not know what is to become of them, for the time is fast approaching when money cannot procure what is necessary to sustain human life. My position in this regard is becoming embarrassing to the last degree.

The government has no intelligence whatever from the outside world since the 14th ultimo. I have London papers of the 23d and New York papers of the 10th ultimo, but I cannot make their contents known. The dispatches I have received from you will be acknowledged in another communication.

With the compliments of the season for yourself and for those gentlemen in the department with whom I was associated, even for so short a time, I have, &c.,

E. B. WASHBURNE.

No. 141.

Mr. Fish to Mr. Washburne.

No. 211.] DEPARTMENT OF STATE,
Washington, December 6, 1870.

SIR: I inclose herewith a copy of a dispatch of the 5th ultimo, and of its accompaniments, addressed to this department by Mr. John de la Montagnie, United States consul at Boulogne, in relation to the expenses incurred by him in subsisting French soldiers, by order of the authorities at that place.

You are instructed to bring this matter to the notice of the French Government, and to request that proper steps may be taken for the repayment to the consul of the amount thus expended by him.

You will observe from the letter of the mayor of Boulogne to the consul that he disclaims the right of subjecting the consul of the United States to the tax for the support of soldiers. The act really seems to have been that of billeting soldiers upon the consul, and, as such, is in direct contravention of the second article of the convention of 23d February, 1853.

The mayor, in his letter of 15th October, assimilates the position of the American consul to that of certain other consuls, who by custom of previous years have not been subjected to this imposition.

The action of the mayor relieves the present case from any serious aspects, and this government is indisposed at the present time to dwell upon irregularities in this regard which may have occurred.

But you will call the attention of the minister for foreign affairs to the violation of the immunities of the consul, which have thus been invaded, and say that the exemption admitted to attach to the consul at Boulogne exists, in the opinion of this government, by virtue of the convention of 1853, and cannot be accepted by reason of any special custom with regard to the consuls of other nations.

I am, &c.,

HAMILTON FISH.

No. 142.

Mr. Washburne to Mr. Fish.

No. 345.] LEGATION OF THE UNITED STATES,
Paris, January 9, 1871. (Received February 4, 1871.)

SIR: I have the honor to state, referring to my dispatch No. 343, that I wrote to Mr. Jules Favre upon the subject of the claim made by Mr. de Montagnie, United States consul at Boulogne, for reimbursement for the expenses incurred by him in the entertainment of French soldiers in that city. Mr. Favre admits promptly the justice of the claim, and states that as soon as possible he will examine the question of the amount of the reimbursement to be paid.

I am, &c.,

E. B. WASHBURNE.

No. 143.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *January* 5, 1871.

SIR: I had the honor to receive the two letters which you kindly addressed me on the 2d of January current, in relation to the attack which took place December 23 upon a German officer charged in his character of bearer of a flag of truce with carrying dispatches to the French posts.

It appears from the communication of Mr. Jules Favre, and from the note of the governor of Paris, of which you have kindly transmitted to me a copy, that the government of the National Defense, desiring that the intercourse of the two armies under flag of truce should be governed by an exact observance of the laws of war, has ordered an in-

quiry into the case in question, and that full satisfaction shall be given to our demands if the fact should be established by witnesses.

The King's government believes it may hope that the investigation will be pursued according to the assurance contained in the letter of General Du Moulin, and that some positive result will ensue.

Meanwhile, the government of the King sees with satisfaction in the assurances of Mr. Jules Favre, and of the governor of Paris, a pledge that severe orders will be given to observe strictly the rights of flags of truce. The resolution of the government of the National Defense permits us to maintain communications between the two armies, which are only possible upon condition that the security of flags of truce is scrupulously respected on both sides.

In his letter Mr. Jules Favre states that the facts for which the French soldiers are blamed were only reprisals, and he cites two cases where French flags of truce were the objects of aggression on the part of the German advanced posts. I hasten to make this known to the military authorities, who will order a rigorous investigation, and, I may add, that from this time the guilty will be severely punished if the facts alleged can be established.

I beg you, sir, however, to call the attention of the government of the national defense to the fact that the shot fired on the 23d, at a German officer, cannot be attributed to an intention to make reprisals for what should happen on the 27th and 30th, and that the system of reprisals would never justify an attack upon the bearer of a flag of truce, especially when the pretext on which it is based has no other foundation than the most vague assertions, of which the truth can now no longer be verified.

Please accept, sir, the assurance of my high consideration.

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America at Paris.

No. 144.

Count Bismarck to Mr. Washburne.

VERSAILLES, *January* 9, 1871.

SIR: While sending you your London dispatch-bag, together with a number of letters accumulated these last days, I beg you will excuse the fact that, owing to the direction which the bombardment had taken during several days, the dispatch-bag reaches you later than usually.

I am, your excellency's very obedient servant,

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America at Paris.

No. 145.

Mr. Washburne to Mr. Fish.

No. 346.] LEGATION OF THE UNITED STATES,
Paris, January 9, 1871. (Received February 4.)

SIR: The bombardment which the Prussians commenced on the "forts of the east," as they are called, that is to say, upon the forts of Romy,

ogent, Noisy, Remanville, Aubervilliers, and the East, as well as upon ıe Plateau of Avron, on the 27th ultimo, has continued to the present me, save some brief intervals. It has been violent and long contin-ɜd, and, with the exception of driving the French from the Plateau of .vron, very little damage has been done, if we are to give credence to ıe official reports. On Wednesday night, the 4th instant, a bombard-ıent "en règle" was commenced against the "forts of the south," ıat is, against Issy, Vannes, Montrouge, Bicêtre, and Ivry. This ombardment has continued up to this time with great fury, though ith some short interruptions. It is, therefore, now nearly five days ince the Prussian batteries opened their fire on these forts. The can-onading of some of them, particularly Vannes, has been terrific, but he military reports, while acknowledging the extreme violence of the re, do not confess to any material damage. Whatever injury may ave in reality been inflicted upon any of the forts, one thing is certain, o fort has yet been taken or even silenced, but, on the other hand, ome of them have replied with great spirit, and, it is claimed, with con-iderable effect. But what is more serious is the bombardment of the ity. A great many shells have fallen in the city, on the left bank of he river, particularly in the neighborhood of the Luxembourg and the Pantheon. Some twenty or thirty people have been killed and wounded, ncluding women and children, but no very great damage has been done o the buildings. This bombardment of the city must be considered as ın incident to the bombardment of the forts (the shells passing the orts and coming into the city), for, I take it, no premeditated bombard-nent of the place would be commenced until due notice thereof had been given and a surrender demanded. And I assume, further, that the liplomatic corps remaining near the government in Paris would be luly notified in case a regular bombardment were to be commenced. And yet it may be said that, in *point of fact*, the city is under bombard-ment to-day. The matter is assuming a grave aspect, and Mr. Kern, the *doyen* of the diplomatic corps, will call the body together to-morrow to determine what action may be necessary in the premises.

There is no doubt that the people of Paris are greatly surprised to find that the enemy can send his shells into the very heart of their city, for it has always been contended that such a thing was impossible with-out the possession of one of the French forts. I am quite confident that my residence can now be reached by the Prussian batteries, but it is doubtful whether the legation is within the reach of any battery yet opened. If the shells begin to fall in a too close proximity to us, we shall have to remove to some safer place, provided it can be found.

There has been a good deal of discontent in the city during the past week. It has not, however, taken the direction of a cry for peace or surrender, but resulting in a sharp arraignment of the government for a failure to perform its whole duty. On Thursday last an address to the people of Paris, signed by a large number of persons calling them-selves "Delegates of the twenty arrondissements of Paris," was placarded in a large red handbill. I send the address herewith, as cut from one of the journals. Although a great many people said the arraignment was partially just, yet but few were willing to accept the remedy pro-posed, by replacing the government of the National Defense by the revo-lutionary commune. They evidently adopted Mr. Lincoln's theory, that it was no time to swap horses while swimming a river. The consequence was that the handbills were torn down as fast as they were put up, even in the most turbulent parts of the city. General Trochu made this trouble the occasion of issuing another proclamation, a copy of which

I also inclose, and in which he declares "that the governor of Paris will not capitulate."

The bombardment has been the great subject of interest and conversation during the past week. As I am writing, I learn that it was excessively violent the latter part of last night and that it has continued equally violent during to-day. Many people are reported to have been killed. There is apparently not the alarm felt that one might suppose amid all this danger. So far the people have accepted it with a calm and nonchalance almost amounting to recklessness. When it shall become more terrible, however, a panic might seize the population and great trouble may come.

The cold has moderated, and the suffering of the people in that respect has been very sensibly ameliorated. The number of deaths for the last week is three thousand six hundred and eighty, which is quite an increase over the number of the week before. The number of Germans seeking aid from me is still increasing. Nobody could have supposed there were so many left here when the gates of the city were shut. Cases of terrible suffering are brought to my notice every day. I heard a few days ago of a family in the last stage of destitution, absolutely perishing of cold and hunger. I immediately sent my messenger with a small quantity of wood, some wine, chocolate, sugar, confiture, &c. He found a family of seven persons, consisting of the father and mother and five children, cooped up in a little seven-by-nine attic, entirely without fire and nothing to eat but dry bread. They had already burned their last bedstead as a last resource. On a little pallet of straw on the floor was a little boy, seven years old, so weakened by hunger as to be unable to sit up or scarcely to lift his head. I directed some money to be given them, and I now hope to get them through, unless this siege shall last forever. The number that we are now assisting is two thousand and thirty-nine; an increase of two hundred and eighty six in one week.

I have not yet received my dispatch-bag, which should have left London on the 30th ultimo. My latest London dates are of the 23d, and I have dates of the 10th ultimo.

I have, &c.

E. B. WASHBURNE.

P. S.—Monday evening, January 9.—Since writing the above I have heard of an accident that befel a young American. Last night, Charles M. Swager, of Louisville, Ky, was struck by a shell in his own room, No. 7 Rue Cassimir de la Vigne, Hotel St. Sulpice. The shell burst in the room and a fragment struck his foot, and injuring it to such an extent that amputation was found necessary. He was taken to the American ambulance, and the operation was performed by Doctors Swinburne and Johnston this afternoon. The patient is doing well.

E. B. W.

No. 146.

Mr. Washburne to Mr. Fish.

No. 347.] LEGATION OF THE UNITED STATES,
Paris, January 16, 1871. (Received February 17.)

SIR: It was but a short time after I closed my dispatch No. 346, bearing date the 9th instant, before the bombardment took such pro-

portions as to leave no doubt as to its true character. Bombs, in increasing numbers, continued to fall in the interior of the city, not only upon private buildings, but upon hospitals, schools, churches, ambulances, prisons, &c., and men, women, and children, in considerable numbers, were killed and wounded. Not only has one of our own countrymen been grievously wounded, but the property of Americans has been destroyed, and a further destruction is imminent. In view of the gravity of the situation the diplomatic corps (and the consuls acting in the absence of their respective legations) was convened to consider what was proper for them to do, looking to the protection of the lives and property of their countrymen now in Paris. After several meetings it was agreed to address a communication to Count de Bismarck on the subject, a translation of which I have the honor to inclose you herewith.

To-day is the twelfth day since the bombardment of the city and the forts of the south commenced, and as it is generally supposed with all the power of the besieging forces. The Official Journal of yesterday has an official report of the results of the bombardment of the city from the 5th to the 13th instant. This report shows one hundred and eighty-nine victims, fifty-one killed and one hundred and thirty-eight wounded. Of the fifty-one killed, there were eighteen children, twelve women, and twenty-one men. Of the one hundred and thirty-eight wounded there were twenty-one children, forty-five women, and seventy-two men. The public edifices that have been struck are the Val de Grâce, the Sorbonne, the Bibliothèque Sainte Geneviève, the churches of Sainte Etienne du Mont, Sainte Geneviève, Sainte Sulpice, and Vaugirard; the prison de la Santé, the barracks of Vieux Colombier, the hospital de la Pitié, the prison St. Pélagie, l'Ecole Polytechnique, l'Ecole Pratique de Médecine, the convent of the Sacré Cœur, the hospital of Salpêtrière, the normal school, the Institution for the Blind, the hospital of the Infant Jesus, Maternité, and de Lourcine, and the ambulances of St. Perine and of the Dames Augustines. The number of private buildings struck is about three hundred and fifty, but many of them but little damaged. No building of any great value has yet been burned. No bombs have yet fallen on the right bank of the Seine. When the length of time is considered that the bombardment has been going on, and the enormous quantity of material that has been expended, the small number of killed and wounded and the small amount of actual damage is surprising. The bombardment so far has not had the effect of hastening the surrender of the city. On the other hand, it has apparently made the people more firm and determined. In the presence of a common danger the feeling of hostility to the government, which was so openly manifested some two weeks ago, has been greatly modified. So much in regard to the bombardment of the city. It is hard to tell what the real state of facts is in regard to the damage done to the forts. The forts of the east have been bombarded for twenty, and the forts of the south for twelve, days, and one thing is certain that no fort has been either taken or silenced. How long any or all of these forts can hold out I have no means of judging. With the possession of one of these forts the besiegers would have a much larger part of the city immediately under their guns, and a bombardment from such a point can only be contemplated with horror. And with the spirit now manifested by the people of Paris I do not believe the city would then yield. In the event of the city not yielding to bombardment or assault, the question always is, how long before it will have to yield to famine? I am reluctant to speak further on that subject, as my predictions have so often failed of verification.

I saw yesterday the gentleman who has charge of rationing the people of the arondissement in which I live, and he assured me they had enough provisions for *two months yet*. While the amount of flour was running short, he said they had a great quantity of grain, and the only trouble was in making it into flour fast enough to supply the demand for bread. I met last night a gentleman in a high official position, and whose duty it has been to gather all the information possible in regard to the amount of food in the city, and he says there is enough to last easily till the first of March. The bread will be of a poor quality, but there will be enough of it. Of rice there is a very large quantity, and an unlimited supply of wine, coffee, sugar, &c. Another man, claiming to be equally well informed, will positively assure you that there are not more than provisions enough to last more than two weeks longer at the outside. You will see, therefore, how widely the opinions of people differ on this most vital question.

We are again having cold weather, and the suffering of the people has been intensified. The number of deaths is steadily increasing, and last week it amounted to *thirty-nine hundred and eighty*.

My dispatch-bag, which left London on the 30th ultimo, only *reached* me on Tuesday night, the 10th instant. It brought me home-papers to the 17th, and London papers to the 30th ultimo. The bag which undoubtedly left London on the 6th instant has not yet arrived.

I have, &c.,

E. B. WASHBURNE

[Inclosure.—Translation.]

The Diplomatic Corps to Count Bismarck.

SIR: For some days past a large number of shells, coming from positions occupied by the besieging troops, have entered the interior of Paris.

Women, children, and sick persons have been struck. Among the victims there are many who belong to neutral states. The lives and property of persons of all nationalities, residing in Paris, are in constant danger.

These things have happened without the undersigned (the greater part of whom have no other mission for the present at Paris, except to watch over the security and interests of their countrymen) having been enabled by a preliminary notice to warn against the dangers which menaced them, those of their countrymen who had been hitherto prevented by "force majeure," and especially by the impediments placed in the way of their departure by the belligerents, from placing themselves in safety. In presence of events of so grave a character, the members of the diplomatic corps present at Paris, with whom are associated in the absence of their respective embassies and legations, the undersigned members of the consular corps, have thought it necessary with a full sense of their responsibility toward their respective governments, and of their duties toward their fellow-countrymen, to concert upon the measures to be taken.

Their deliberations have led the undersigned to the unanimous resolution to request that, in accordance with the recognized principles and usages of the law of nations, steps be taken to permit their countrymen to place themselves and their property in safety.

Expressing with confidence the hope that your excellency will interpose your good offices with the military authorities, in accordance with the object of this request, the undersigned take this opportunity to beg you will receive the assurances of their very high consideration.

PARIS, *January* 13, 1871.

[Here follow the signatures of the diplomatic corps present in Paris.]

His Excellency the Count BISMARCK-SCHÖNHAUSEN,
Chancellor of the North German Confederation, Versailles.

No. 147.

Mr. Washburne to Mr. Fish.

[No. 348.] LEGATION OF THE UNITED STATES,
Paris, January 16, 1871. (Received February 17.)

SIR: In my dispatch No. 321, dated November 19, 1870, I estimated that the amount to be paid out of the contingent fund of this legation, as connected with the expenses entailed upon it by virtue of our protection to the subjects of the North German Confederation, would not be likely to reach more than fifteen hundred dollars. That sum was independent of what I proposed should be paid to persons connected with the legation. At the time I had the honor of addressing you that dispatch, I supposed that my duties in that regard would have been ended before this time. Instead of that being the case, they have greatly increased, and no man can now venture to predict how long they are likely to continue. I am to-day furnishing aid to *twenty two hundred and seventy six* destitute Germans, and I have had to employ three additional persons in my legation to perform the service necessary to look after these people. Besides, it is necessary to consider the vastly-enhanced prices of everything which we have to purchase, as incidents to the state of siege. For instance, I have had to pay at the rate of more than fifty dollars a cord for wood. There is besides quite an amount to pay for carriage-hire. Instead, therefore, of three thousand dollars (including extra compensation) which I estimated, it may in the end reach four thousand. I have thought proper to thus call this matter to your attention, in order that you might bring it to the notice of Congress, provided you should deem it necessary.

I have, &c.,

E. B. WASHBURNE.

No. 148.

Count Bismarck to Mr. Washburne.

VERSAILLES, *January* 16, 1871.

SIR: Lord Augustus Loftus has communicated to me copy of a letter addressed to Earl Granville by Mr. Tissot, the French chargé d'affaires at London, complaining of the system, as he calls it, of the German authorities in the occupied parts of France, of taking hostages and arresting persons belonging to the civil service. Copy of that letter you will find inclosed herewith.

Concerning the hostages taken in order to procure the deliverance of the masters and crews of German merchantmen treated as prisoners of war by the French, I have fully explained the reasons of our conduct, both in a letter addressed to the government at Tours under date of the 16th of November last, and in my dispatch to your excellency of the 5th of this month. Civil officials have been arrested and some of them sent to Germany, partly for trial, partly to be kept in safe custody, because they have acted in a matter prejudicial to the security of the German forces, or to the interest of our occupation.

By the letter of Mr. Tissot I learn that one of them, Mr. Garceau, ingénieur des ponts et chaussées, arrested for having refused to continue his official functions, has done so in obedience to an order of his French

superior. So far from justifying the demand of his release this circumstance affords an additional justification for the system complained of by Mr. Tissot. I might refer to the practice habitually observed by the French when occupying the territory of an enemy, which practice is amply and authentically detailed in the published correspondence of the Emperor Napoleon I. I might remind the government of National Defense that, according to that practice, Mr. Garceau would run the risk of being shot. But it will suffice to call their attention to this principle well established in international law, that a belligerent while occupying the territory of the adversary may claim, and, if necessary, enforce obedience on the part of officials residing in that territory, and that the refusal of such an official to obey him would but be aggravated by the pretension of obeying orders issuing from the enemy.

I beg you will be good enough to communicate a copy of the present letter to Mr. Jules Favre; and I avail myself of this opportunity to renew to your excellency the assurance of my highest consideration.

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America at Paris.

No. 149.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *January* 19, 1871.

SIR: I have received a communication from the military authorities, stating that the projectiles thrown by the French artillery bearing upon the city of Sévres on the 21st of December fell, by preference, upon the hospital of the city, and the convent of the Dominicans, occupied by the Sisters of Charity, both appropriated for the accommodation of the German wounded and sick, and surmounted by the flag with the red cross. The localities of Sévres are well known at Paris, and the distance of these hospitals from the site of the French batteries permits them to be distinguished, and in any event is much less than that of our batteries from the city of Paris. It is, therefore, impossible to believe that it is by inadvertence. I protest against this violation of the Geneva convention, and I beg you to kindly communicate this letter to Mr. Jules Favre.

Please accept, sir, the assurance of my most distinguished consideration.

V. BISMARCK.

His Excellency E. B. WASHBURNE, *&c., &c., &c.*

No. 150.

Count Bismarck to Mr. Washburne.

[Translation.]

VERSAILLES, *January* 23, 1871.

SIR: I have the honor to transmit to you herewith a letter from Mr. de Thile, secretary of state, concerning the liberation of Mr. Fontaine, ordered by the government of the national defense, at Tours.

It appears from this communication that as soon as the minister of war learned of the resolution adopted with regard to Mr. Fontaine he hastened to set at liberty the three hostages taken at Domrémy to guarantee the safety and lead to the liberation of the latter. The demand contained in the document annexed to the letter of Mr. de Thile, to send back to France a French officer in exchange for Mr. Fontaine, could not be acceded to because, in his character of man of letters, he stands in the same category as the captains of German merchantmen held unjustly in France. I take advantage of the occasion to make the observation in regard to the latter that information worthy of belief, contrary to the evidence easily obtained in their sad condition by the French authorities, leaves no doubt in regard to the bad treatment to which they have been subjected in their captivity. The German authorities consider themselves obliged, in consequence of this information, to still increase the number of hostages detained at Bremen by having a certain number of persons arrested in different French cities, to be held in Germany until the French authorities consent to set at liberty the captains of the merchant-marine whom they have sequestered.

Please accept, sir, the assurance of my high consideration.

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America at Paris.

No. 151.

Mr. Washburne to Mr. Fish.

No. 350.] LEGATION OF THE UNITED STATES,
Paris, January 23, 1871. (Received February 17.)

SIR: I have the honor to send you herewith a copy of a correspondence I have had with Count de Bismarck (including one letter to Mr. Motley, and one to Mr. Moran), on the subject of my dispatch-bag to and from Paris to London.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.—Translation.]

Count Bismarck to Mr. Washburne.

VERSAILLES, *December* 6, 1870.

SIR: The Daily News newspaper of the 24th November contains an article from its Paris correspondent, stating that the English papers arrive regularly by the dispatch-bag which is sent you each week by the United States legation in England. He adds a detailed account of the eagerness of the French journalists to peruse the English papers, so as to reproduce their contents in the Paris papers.

If the statement alluded to be exact, it would imply relations incompatible with the rules dictated by the interests of military operations during the investment of Paris. The military authorities cannot sanction that foreign papers of recent date should reach the besieged without having been previously examined.

In obtaining for the United States legation the privilege of receiving closed dispatches within a besieged fortress, I allowed myself to be led by the conviction that we had not to fear any inconvenience liable to compromise our interest.

I believed it to be understood that the authorization only applied to official communications between the Washington government and the United States legation at Paris. The King's ambassador at London is instructed to make the like remarks to your

colleague, Mr. Motley, who will, doubtless, know on his side how to put an end to any abuse if there should be such.

Receive, sir, the renewed assurance of my high consideration.

v. BISMARCK.

Mr. WASHBURNE,
Minister of the United States of America, Paris.

[Inclosure 2.]

Mr. Washburne to Count Bismarck.

PARIS, *December* 12, 1870.

SIR: I have the honor to acknowledge the receipt of your letter of the 6th instant in relation to the reception of the London papers at this legation.

I took it for granted that a few numbers of the London papers of an old date could do neither good nor harm to any interest, and hence I permitted them to lie upon my table to be perused by people who were sufficiently interested to come and look over them. But, as some of the Paris journals charge that they are sent to me by the Prussian authorities in the hope that the bad news they contain will discourage the French, and as you consider their reception incompatible with the rules dictated by your military operations, I shall decline receiving any more, and I have this day written to London to have no more sent to me.

It is proper for me to say that I received some London papers in the bag which arrived on Saturday last. They will be seen by no person whatever, excepting myself, and I shall most strictly guard their contents. I hope you will find no objection to my receiving through the bag the papers from my own country, with the understanding that they are particularly for my own perusal. I would be very glad if you would instruct Count Bernstoff to consult with Mr. Motley on the subject. I shall write to Mr. Motley not to send me even the American journals without the assent of your government, signified by Count Bernstoff.

The bag arriving on Saturday only reached here the sixteenth day after leaving London, and I am curious to know whether the great delay was on account of the French military authorities refusing to receive it. It ought not really to take more than four or five days for the bag to come from London here, and I wish that hereafter I might receive it within that time.

I have, &c.,

E. B. WASHBURNE.

His Excellency Count DE BISMARCK, *&c., &c., &c.*

[Inclosure 3.]

Mr. Washburne to Mr. Motley.

PARIS, *December* 12, 1870.

MY DEAR COLLEAGUE: Count Bismarck writes that my reception of the London journals is incompatible with the interest of their military operations before Paris, and he says you will be conferred with in the same sense. I desire, therefore, that no more London papers be sent to me. I find their reception only a nuisance. It seems now the Prussians object, and some of the French papers have charged that they are sent to me by Bismarck, in the hope that the bad news they contain will demoralize and discourage the Parisians. It is, therefore, best that I should receive no more London papers, but I have written Count de Bismarck that I hope he will not object to my receiving our own home papers, and that he will instruct Count Bernstoff to consult with you on the subject, and if Count Bismarck does not assent to it, you will be good enough not to send me the American papers.

The Prussian authorities having granted me the privilege of having a bag, their understanding of what it should contain must be conformed to, and I do not wish that it should cover anything improper.

Believe me, &c.,

E. B. WASHBURNE.

[Inclosure 4.—Translation.]

Count Bismarck to Mr. Washburne.

VERSAILLES, *December* 15, 1870.

SIR: I have the honor to receive the letter which you have kindly addressed to me under date 12th December, in relation to the English papers which reach you by the

dispatch-bag forwarded from London, and I hasten to assure you that you have misunderstood the bearing of my remarks.

In addressing you my letter of the 6th December last, I only intended to call your attention to the abuse noted by the correspondent of the Daily News, convinced that you were unaware of it, and that this would be sufficient to put an end to it, if it had existed.

But I had no intention to deprive you personally of the English or American papers which you wish to receive, and you are entirely free to have them come for your own private use. I am persuaded that you will take the necessary precautions, so that no inconveniences shall result incompatible with our military interest.

The King's ambassador at London is instructed to inform Mr. Motley that there is no opposition on our side to his continuing sending you the English and American papers which you wish to receive.

Receive, sir, the assurance of my high consideration.

v. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America, Paris.

[Inclosure 5.]

Mr. Washburne to Mr. Moran.

PARIS, *January* 1, 1871.

MR. MORAN: Please send me no more London papers; only cut out the telegraphic dispatches from the United States, from day to day, and send them. It is too much to be the only person, in a city of two millions of people, who receives any outside news. It has become a great annoyance, and I prefer being without news to being subject to it. I hope you will receive permission to send all my private letters. I expect you will send me all the American papers as usual.

Yours, truly,

E. B. WASHBURNE.

[Inclosure 6.]

Mr. Washburne to Count Bismarck.

PARIS, *January* 4, 1871.

SIR: The reception of the London journals may involve me in trouble, and I write Mr. Moran by General Read not to send me any more, only inclosing me the telegraphic dispatches from the United States which appear in them. Some Paris papers represent that I have given out news; others say that I give out nothing, because the news is favorable to the French arms; and attempts have been made to bribe my servants to get hold of them. I conclude the only safe way is to receive no more English papers. I shall expect to receive my home papers as usual, and hope also to have permission to receive my private letters.

I have the honor, &c.,

E. B. WASHBURNE.

His Excellency Count DE BISMARCK, *&c.*

[Inclosure 7.]

Count Bismarck to Mr. Washburne.

VERSAILLES, *January* 15, 1871.

SIR: I beg to inclose extracts of three letters addressed by persons residing in Paris to correspondents abroad. They are taken out of a balloon sent up in Paris and captured by our men. You will see from the copied passages that the facilities we have accorded to the correspondence of the American legation in London are known to private persons, some of them French, and made use of by them in order to carry on a clandestine correspondence with other people, some of them French. Those extracts further prove that Mr. Hoffman is expected to lend a helping hand to an epistolary intercourse of that kind. I trust your excellency will effectually prevent the members of your legation from lending themselves to a practice, the continuance of which would make it imperative for me not to allow any letters to pass, except those bearing the

seal of the State Department of Washington. It is the possibility of occurrences like these that makes the military authorities indisposed to favor a prompt expedition of your correspondence. Having reluctantly acceded to the whole arrangement, they would have preferred sending your dispatch-bag not to London, but directly to Washington; and now the question may be raised by them of cutting off any correspondence between you and London. In that case, the best way, in my opinion, of obtaining a prompter expedition with the least inconvenience to you, would be to have the dispatch-bags for you made up and sealed, not in London, but in Washington, and to send private letters addressed to you personally together with, but not inclosed in, the bag.

Please let me know if such an arrangement would eventually suit you.

I remain, with the highest consideration, your excellency's, &c.,

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States at Paris.

[Inclosure 8.]

Count Bismarck to Mr. Washburne.

VERSAILLES, *January* 15, 1871.

SIR: I have the honor to transmit to your excellency the dispatch-bag received from London. In accordance with the wish expressed in your letter of the 13th instant, I have, on my personal responsibility, immediately forwarded your dispatch-bag to London. In so doing I acted against the principle adopted by the general staff, that no sealed packages or letters shall be allowed to pass through our lines in either direction without a stoppage of several days. The motive of this rule is the apprehension of the general staff that even the most scrupulous loyalty and attention on the part of the responsible chief might not always exclude the possibility of missives being, by irresponsible parties, introduced into an official cover.

However much I may, from personal consideration, feel inclined to oppose this restriction in all cases where you are concerned, I cannot help perceiving that all my endeavors will be fruitless after the impression produced upon our general staff by the balloon letters which form the subject of another communication.

I therefore regret to state that it is out of my power to establish the present instance of *immediate* transmission as a precedent.

I remain, &c.,

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States at Paris.

[Inclosure 9.]

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, January 19, 1871.

SIR: I have the honor to acknowledge the receipt of your two letters, both under date of the 15th instant, relating to matters connected with the transmission of the United States dispatch-bag to and from this city. One of those letters incloses extracts from those letters said to have been addressed by persons residing in Paris to correspondents abroad, such letters having been sent out in a balloon which was captured by your men.

There is no doubt but the facilities for correspondence which the legation of the United States at Paris has had are known in London and elsewhere, and that certain persons have sought to abuse those facilities, and, in order to accomplish their purposes, have attempted to make an unwarrantable use of this legation. A good many letters have found their way to our legation here. Many have been sent by your excellency, some by Count Solms, and some by Count d'Hatzfeldt. These letters having, as I have assumed, passed through your hands, I considered that I had a sufficient guarantee that they contained nothing compromising to either belligerent, and I caused them all to be delivered to the parties to whom they were addressed, without examination.

Of the letters that have found their way into my dispatch-bag, coming from London, some were addressed to my compatriots who have been detained in Paris. Such let-

ters, after having been examined and found to contain no allusion to military or political matters, have been delivered.

A very few letters have come to me addressed to people of nationalities other than French, and after examining them and finding that they contained no allusion to military events, I caused them also to be delivered. Perhaps in half a dozen cases I have delivered some very brief notes to French people well known to me, but only after the most scrupulous examination which showed them to contain absolutely nothing but reference to family matters. And I may say that nine out of ten of the small number of letters I have received through my dispatch-bag have not been delivered by me at all, as I considered that it was not in accordance with your understanding of what the bag might contain. I have to remark, therefore, that no letters, received through my dispatch-bag from London, have ever gone out of this legation which contained anything in regard to military or political events, or containing anything in the least degree compromising to either of the belligerents; and I beg to say further, that I have equally guarded the contents of my outgoing bag.

In this connection permit me to observe that you will find inclosed herewith an envelope, containing certain letters addressed to persons in Paris, and which you sent to me by the last parlementaire. I know nothing of these persons, and I know no reason why I should deliver the letters. I therefore have the honor to return them to you.

As you suggest that the extracts of the balloon letters prove that Colonel Hoffman was expected to lend a helping hand to the epistolary correspondence, I am authorized by him to state that he has no idea of the parties who wrote two of the letters in which his name has been used, and he denies in the most emphatic manner that they could have been authorized to use his name in any way. As to the other party, Mrs. Chandor, an American lady, whom he says he found in great distress on account of the sickness of her children with the small-pox, in Brussels, he consented to have information sent to him in regard to them. He had no conception that this act of pure kindness would be taken advantage of to get in a letter to the gentleman therein named, whom he had never heard of. I make haste to speak of Colonel Hoffman as a gentleman of the most unquestioned loyalty and honor, a man who thoroughly appreciates his duties and obligations, and holds to a most rigorous observance of them. I have no idea who the writer of the letters is who speaks of receiving news by the "intermediary of Mr. Washburne," but I do know that he never had any authority from me to use my name in that way, and in doing so was guilty of a gross impertinence and a gross outrage.

I beg to thank your excellency for your prompt transmission of my bag to London, in accordance with the request of my letter of the 13th instant.

In relation to the suggestion which your excellency makes, that my dispatch-bag shall be sent directly to Washington, not to be opened in London, I have to state that such an arrangement would deprive me of communicating with the United States legation in London, and through that legation, in case of need, with the Washington Government by telegraph.

In regard to sending my dispatches from Washington in a bag made up there to be transmitted directly to me here, its practical operation at the present time would be to deprive me of all communication from my government. My weekly dispatches from Mr. Fish for the last four weeks are now on their way from Washington to Paris. If I am deprived of a bag from London, those dispatches, therefore, could not reach me under the seal of my government, which is the only way that I would feel authorized to receive them. Independent of that, it will take between three and four weeks for me to get a letter to Washington, requesting that the bag may be made up there directly for Paris. In the mean time, dispatches to me would be coming weekly to London, with the expectation that I should receive them in the usual manner. And further, after my letter should have finally reached Washington, requesting that the bag should be made up there for Paris, it would take the contents of such bag three or four weeks more to reach me.

Hence, your excellency will perceive that if I should receive no bag from London I should be deprived of hearing from Mr. Fish for a period of some three months.

With a knowledge, therefore, of the views of my government on this subject, and its opinion that it has a right to promptly communicate with me as its representative near the government of France, it is impossible for me to acquiesce in the arrangement which you have done me the honor to recommend. I have concluded, therefore, to send you by the parlementaire, which I hope to obtain for Tuesday next, my dispatch-bag addressed in the usual way to the United States dispatch-agent in London. If you should feel constrained to decline sending it forward without an unreasonable delay, I will thank you to return it to me here by the first parlementaire. And also, if you should feel constrained to retain my bag sent to you from London to Versailles beyond a reasonable time, I will thank you to return it to London.

Out of respect, due alike to myself, as well as to the government which I have the honor to represent, I should feel compelled to decline receiving or transmitting any dispatch-bag or any communication through your military lines upon terms and conditions which might be construed as implying a distrust of my good faith and of the

loyal manner in which I have discharged my duty toward both belligerents and to my own government, to which I am alone responsible for my official action.

Before closing this communication, I trust your excellency will pardon me a further observation. For the period of six months I have been charged with the delicate, laborious, and responsible duty of protecting your countrymen in Paris. Of the manner in which those duties, having relations to both belligerents, have been performed, I do not propose to speak; I am content to abide by the record made up in the State Department at Washington. But I can state that there has never been a time when these duties have involved graver consequences and responsibilities than at the present moment. As I have expressed to you before, I have been astonished at the number of Germans who, as it turns out, were left in the city when the gates were closed. Having exhausted their last resources, and finding themselves in a state of the most absolute destitution, they have applied to me for protection and aid, which I have so far been enabled to extend to them from the funds placed in my hands by the royal government. The number of these people amounts to-day to two thousand three hundred and eighty-five (2,385), and it is certain, had there not been some one here to protect and aid them, many must have inevitably perished of cold and starvation. My position in relation to these people and to your government is known to the people of Paris, and as the siege wears on and the exasperation is intensified, I now find myself exposed to the hostility of a certain portion of the population of the city. While your military authorities seem to be agitated by the gravest fears in relation to my dispatch-bag, I am daily violently assailed by a portion of the Paris press as a "Prussian representative," and a "Prussian sympathizer," and a short time since it was proposed in one of the clubs that I should be hung—rather a pleasant diversion in these dreary days of siege through which we are passing.

I will only add that, so long as I am the diplomatic representative of my country in Paris, I shall discharge every duty, even to the end, and in the face of every circumstance, that I owe to my own government, and every duty that I have, by its direction, assumed toward the subjects of the North German Confederation.

I have, &c.,

E. B. WASHBURNE.

His Excellency Count DE BISMARCK, *&c.*

No. 152.

Mr. Washburne to Mr. Fish.

No. 351.] LEGATION OF UNITED STATES,
Paris, January 25, 1871. (Received February 17.)

SIR: The past week has been one of great interest. The government issued its order for the rationing of bread on the 18th instant, which is an evidence of the "beginning of the end." The amount issued is three-fifths of a pound to all, except children under five years of age, who receive one-half of that quantity. This allowance is small, and the quality of the bread issued is very poor indeed. It has only about thirty-one-hundredths of flour. The balance is made up of oatmeal and rice, and some say pease and beans form part of this admixture. It is a sad sight to see the long *queues* at all the bake-shops. One sees posted at all the cafés the notice to their customers that they must bring their bread with them. The *mairies* are rationing very small quantities of horse-meat, a little rice, beans, pease, and occasionally herring and cod-fish. The quantity of coffee, sugar, and wine is sufficient for the siege, and can be had at enhanced prices.

The third grand *sortie* was made on Thursday morning last beyond Mont Valérien, and in the direction of Versailles. The movement was under the direction of General Trochu himself, his third army corps being commanded respectively by Vinoy, Ducrot, and Bellemère. The French appear to have had some success in the morning, and to have captured some of the advanced positions of the enemy, but after a bloody fight, continuing nearly all day, they were finally driven from the positions they had captured under the protection of the guns of

[ont Valérien. There has been no official statement of the French illed and wounded, and the number of men placed *hors du combat.*

The number of killed and wounded is variously estimated at from four) eight thousand. I, of course, have no means of judging as to the orrectness of any of these estimates.

The attack was not renewed on Friday morning, but on the other and the troops began coming into the city. The national guard parcipated largely in this *sortie*, and it is said that they fought very credably. The complete failure of the movement, with so great a loss of en, produced a very profound impression in the city on Friday. The eling became very much intensified toward evening, when the govnment published a pigeon dispatch stating that Chanzy had been deated, and had lost two thousand prisoners and twelve guns. The gitation in the evening became intense, particularly in the revolutiony parts of the city, and the clubs were crowded with an exasperated d excited population.

On Saturday the excitement was still greater, and the most violent d revolutionary movements were set on foot in Belleville, La Villette, d Montmartre. Measures having been concocted, on Saturday night e prison of Mazas was attacked and many of the insurrectionists of e 31st October, who were there imprisoned, were set at liberty, and nong them Flourens, who was the leader of the *émeute* of that date. would seem extraordinary that in a city where there are five hundred ousand soldiers a prison like that of Mazas should have been left to captured by an insignificant body of men. It is said, however, that e prison was not actually *forced*, but was opened by the treachery of e director.

On Sunday (yesterday) the Journal Officiel announced that the comandant-in-chief of the army of Paris would henceforth be separated om the presidency of the government; that General Vinoy was made mmander-in-chief of the army of Paris; that the title and functions of e government of Paris were suppressed; that General Trochu would continued as the president of the government. This was considered half-way measure, and did not seem to give general satisfaction. It as claimed that Trochu had completely lost the public confidence, and at he ought no longer to occupy any position whatever in the govnment.

During all the day of Saturday, and on Saturday night, arrangements ere being made by certain turbulent spirits, and by some battalions the national guard from Belleville, in addition to attacking Mazas, to ake an attack on the government.

Hence, after they had delivered the prisoners from Mazas they atmpted to seize the *mairie* of the twentieth arrondissement (which inudes Belleville), and to install themselves there as the headquarters the insurrection. They remained there long enough to steal all the ead which had been laid aside for the poor. Notices of the invasion the *mairies* having been conveyed to the military commander in that ction of the city, he proceeded hither with a few companies of the ational guard, and very soon summarily expelled the insurgents.

About one o'clock in the afternoon of yesterday crowds of people, includg men, women, and children, particularly from Belleville, began flowg toward the Hôtel de Ville, crying "*Donnez-nous du pain*," "*Nous ourrons de faim*," "*Vive la Commune!*" "*À bas Trochu!*" After remaingin the great square in front of the Hôtel de Ville for an hour or two the owd began slowly to disperse. About three o'clock, however, a troop f about five hundred men arrived in front of the hôtel. They marched in

order with shouldered arms, and with drums beating the charge. They massed on the sidewalk in front of the hôtel, crying "*À bas Trochu!*" "*Vive la Commune!*" After some parleying, shots were fired from the ranks of the mob, and an officer of the *garde mobile* received three balls and fell seriously wounded upon the sidewalk. Then an indiscriminate firing took place between the mobiles guarding the Hôtel de Ville and the rioters. Some of the insurgents had posted themselves in houses opposite the Hôtel de Ville and directed a fire against the windows of the first story of the building. They also threw out a certain number of bombs and explosive balls. And now the *rappel* commenced to beat in the quarters near to the Hôtel de Ville, and soon afterward in other localities. The national guards everywhere rallied with great alacrity to sustain public order, and in a few minutes the insurgents were put ingloriously to flight. The Journal Officiel of this morning says that in this "combat" there have been five persons killed and eighteen wounded. There has since been no further trouble. It was quiet all last night, and the most perfect tranquillity reigns to-day.

Vinoy is fully installed as the commander of the army of Paris, and has issued a soldierly order of the day. His position is one of the most difficult that was ever undertaken by a soldier, and of course it is idle for me to speculate as to the line of action which he will adopt.

The government published yesterday morning a dispatch from Chanzy, dated the 16th of January, which showed that his army was in a very bad position. This news has added still further to the discouragement of the people of Paris, but no whisper of surrender is yet heard. In all of these terrible circumstances no man talks either of surrender or of peace. The bombardment has so far utterly failed of accomplishing what was its apparent object. This is the nineteenth day, and its effects now are not as great as they have been. The number of killed and wounded cannot exceed three hundred, and the material damage is not very great. No fort has either been or is likely to be taken; and I hold to my opinion that the city will only be taken by famine. It may, however, fall suddenly, and the siege, now extended over four long months, be ended before this dispatch shall reach you. The government seems to have suddenly waked up to an unusual degree of energy. The Journal Officiel of this morning publishes one decree suppressing all the clubs; another decree to facilitate the rapid administration of military justice, and yet another suppressing the red republican journals, Le Réveil and Le Combat.

The number of deaths in the city per week is still increasing. Last week the number reached four thousand four hundred and sixty-five (4,465), not counting the deaths in the hospitals, which are estimated for the last week at one thousand.

The weather has moderated very much, and the suffering by cold has been greatly alleviated.

I have, &c., E. B. WASHBURNE.

No. 153.

Mr. Fish to Mr. Washburne.

No. 228.] DEPARTMENT OF STATE,
Washington, January 24, 1871.

SIR: I have to acknowledge the receipt of your dispatch No. 341, of the 26th ultimo, inclosing a translation of a letter from Mr. Jules Favre,

rom which it appears that the tax on the apartments of citizens of the United States, who left Paris, which it was proposed to levy, will not e enforced.

The department approves the course which you have pursued concerning this question, and I congratulate you upon your success in obtaining the repeal of so unjust a regulation or decree.

I am, &c., HAMILTON FISH.

No. 154.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, January 26, 1871.

SIR: I have the honor to acknowledge the receipt this morning of two letters from your excellency: one of the 16th instant, addressed to me by Mr. de Thele, in reference to the case of Dr. Fontaine; the other of the 23d instant, addressed to me by your excellency, in reference to the same case, and also relating to hostages taken by the North German authorities, with a view to secure the better treatment and release of certain captives of North German merchantmen. Copies of both these letters have been transmitted to Mr. Jules Favre.

I take this opportunity to renew to your excellency the assurance of my most distinguished consideration.

E. B. WASHBURNE.

His Excellency Count DE BISMARCK,
Chancellor of the North German Confederation.

No. 155.

Count Bismarck to Mr. Washburne.

VERSAILLES, *January* 27, 1871.

SIR: I have to acknowledge the receipt of your letter, dated the 21st of this month, inclosing a parcel addressed to you from Brussels, and containing a number of letters to private persons in Paris. I had not ordered that parcel to be opened, supposing that it came from Mrs. Washburne. After examination of its contents, I beg to inclose it once more, and leave it entirely to your discretion and convenience whether to send the letters out or not. I have to say the same with respect to the advertisements directly or indirectly addressed to you in the Times newspaper.

I have the honor to be your excellency's humble, obedient servant,

V. BISMARCK.

His Excellency E. B. WASHBURNE,
Minister of the United States of America at Paris.

No. 156.

Mr. Washburne to Mr. Fish.

No. 353.] LEGATION OF THE UNITED STATES,
Paris, January 30, 1871. (Received February 18.)

SIR: I have the honor to inclose you herewith a copy of a letter I

have received from Count de Bismarck, in reply to my letter to him on the subject of the dispatch-bag.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.]

Count Bismarck to Mr. Washburne.

VERSAILLES, *January* 28, 1871.

SIR: I had the honor of receiving your answer, dated the 19th instant, to my two letters of 15th, relating to your correspondence with the United States legation in London. I should very much regret if you should have construed anything in these two letters so as to convey the indication of any complaint against you. Nothing, indeed, could be further from my thought, and I take pleasure in renewing the expression how deeply sensible I am of all the trouble you have in carrying on your correspondence with the authorities in Paris, and in taking care of our countrymen there. But the balloon letters having been brought officially under my notice by the military authorities, I thought it my duty to inform you of the reference made in those letters to your legation, and to that in London. The delay occurred now and then in the transmission of your dispatch-bags is not occasioned by any doubt as to the right of your government to correspond with you, but by obstacles it was out of my power to remove. I hope that for the future there will not be any more delay of that kind.

I avail myself, &c., &c.,

v. BISMARCK.

No. 157.

Mr. Washburne to Mr. Fish.

No. 355.] LEGATION OF THE UNITED STATES,
Paris, January 30, 1871. (Received February 18.)

SIR: The crisis has at last been reached. In my dispatch of a week ago, No. 351, I spoke of the discouraging state of things in Paris, but of the still resolute determination of the people not to surrender. I added, however, that the city might fall suddenly, and the siege be ended before my dispatch should reach you. The disturbances of Sunday, the 22d instant, and the additional news which the government received on Monday, of the substantial defeat of all the outside armies, taken in connection with the utter impossibility to feed Paris but a few days longer, all taken together imperatively demanded immediate action on the part of the French authorities. Paris had held out beyond every reasonable calculation, and the population had suffered all the horrors of famine, cold, and bombardment. From the 27th of this month only seven days of provisions remained, limiting to each one only the small possible amount necessary to sustain human life. On Monday evening, a week ago, negotiations were commenced at Versailles between Mr. Jules Favre and the Count de Bismarck. Of course the greatest anxiety has existed in Paris as to what would be the result of those negotiations. The general idea has been that Paris, resisting to the end, would have to capitulate unconditionally. Such a thing as a general armistice was not contemplated, and while Paris should fall into the hands of the Prussians, it was supposed that the government of the National Defense would still hold its existence in the provinces and continue the war *à outrance*. I was myself inclined to take the same opinion, and in view of the probable fact that in case of a surrender

here would be no shadow of a government of France at Paris, I wrote to you in my No. 338, asking for instructions as to the course I should pursue in such an emergency. I thought that it would be necessary in such case to leave Paris and repair to the seat of the French Government. Instead of the absolute surrender of the city and the military possession of it by the Prussians, we have the armistice, a copy of which, from the official journal, I have the honor to send you herewith. I do not see anything in the present situation which will necessitate my leaving Paris to repair to Bordeaux, for the seat of government will remain here until such a time at least as the armistice shall expire and peace fail to be made.

I also send you the decree of the government of the national defense convoking the national assembly at Bordeaux on the 12th proximo, and also fixing the number of delegates to the assembly. You will see that the number of delegates to the assembly is seven hundred and fifty-three, which I think is quite too large, particularly when it is considered that the assembly would have but one week in which to conclude the important work for which it has been convoked. We are now entering on a new and interesting phase of the events which have been convulsing, not only the belligerent powers, but the whole civilized world, for the last six months. It is to be seen whether a peace can be made on terms which will be acceptable by the French nation, or whether the war is to be indefinitely continued. You will be likely to receive full information by telegraph of the action growing out of this armistice and of the national assembly before this dispatch shall reach you, and I will not, therefore, indulge in any speculations as to the probable shape which things will take.

I have, &c.,

E. B. WASHBURNE.

No. 158.

Mr. Washburne to Mr. Fish.

No. 356.]

LEGATION OF THE UNITED STATES,
Paris, January 30, 1871. (Received February 18.)

SIR: I have the honor to send you herewith a copy of the reply of Count de Bismarck to the diplomatic corps in relation to the bombardment of Paris, without previous notice, together with a copy of the rejoinder of Mr. Kern.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.—Translation.]

Count de Bismarck-Schoenhausen, chancellor of the North German Confederation, at Versailles, to Mr. Kern, minister of the Swiss Confederation at Paris.

VERSAILLES, *January* 17, 1871.

SIR: I have had the honor to receive the letter of the 13th of this month, signed by you and by the minister of the United States, as well as by several diplomatic agents formerly accredited to Paris, in which, invoking the principles of the law of nations, you request me to use my influence with the military authorities in order that such measures may be taken as will enable the fellow-countrymen of the signers of the letter to protect themselves and their property during the siege of Paris.

I regret that it is impossible for me to admit that the reclamations which the signers

of the letter have done me the honor to address to me, find in the principles of international law the authority necessary to justify them. It is undeniable that the determination, standing alone in modern history, to transform the capital of a great country into a fortress, and to make a vast fortified camp of its environs, including nearly three millions of inhabitants, has created for those inhabitants a distressing state of things which is much to be regretted. The responsibility falls exclusively upon those who have chosen to make of this capital a fortress and a battle-field. Under all circumstances, those persons who have chosen their residence in a fortress, and continued of their own accord to reside there during the war, should have been prepared for the inconveniences which have ensued.

Paris being the most important fortress in France, in which the enemy has concentrated his principal forces, which, from their fortified positions in the midst of the population, constantly attack the German armies by their sorties and by the fire of their artillery, no good reason can be alleged why the German generals should give up the attack upon this fortified position, or conduct their military operations in a manner which would be in contradiction with the object they have in view.

I take the liberty to recall to you, in this place, that on our side nothing has been neglected to preserve the peaceful proportion of the population belonging to neutral countries from the inconveniences and the dangers inseparable from a siege. On the 26th of September last, the secretary of state, Mr. de Thile, addressed a circular upon this subject to the ministers accredited to Berlin, and I stated for my part, in a letter bearing date October 10th last, addressed to his excellency the Papal nuncio, and other diplomatic agents still residing at Paris, that the inhabitants would henceforth have to bear the effects of military operations. A second circular, dated October 4th last, attempted to show the consequences which must result to the civil population of Paris from a resistance prolonged to extremities. On the 29th of the same month the contents of this circular were communicated by me to the minister of the United States of America, whom I begged at the same time to communicate it to the members of the diplomatic corps. It results, from what precedes, that warnings and recommendations to leave the besieged city have not been wanting to the subjects of the neutral powers, although these warnings, inspired by a sentiment of humanity and by the consideration which we desire to show toward citizens belonging to friendly nations, are as little prescribed by the principles of international law as the permissions which were granted to pass our lines.

The recognized usages and principles of the law of nations require still less that the besieger should notify the besieged of the military operations which he thinks it necessary to undertake in the course of the siege, as I have already had the honor to state as regards the bombardment, in a letter addressed to Mr. Jules Favre on the 26th of September last.

It was evident that the bombardment of Paris must take place if resistance was prolonged, and it was therefore to be looked for.

Although an example of a fortified city of such importance, and inclosing within its walls armies and material of war so numerous and abundant, was unknown to Vattel, he says upon this subject:

"To destroy a city by shells and hot shot is an extremity which must not be resorted to without very strong reasons. But it is authorized, however, by the laws of war, when it is impossible to reduce otherwise an important place, upon which may depend the success of the war, or which may serve to inflict dangerous blows."

In the present case, it would be the more unjustifiable to raise an objection against the siege of Paris, inasmuch as our intention is not at all to destroy the city, (which would, however, be permissible, according to the principle laid down by Vattel), but to render untenable the central and fortified position where the French army prepares its attacks upon the German troops, and which serves them for a place of refuge after such attacks. I take the liberty finally to remind you, sir, as well as the other signers of the letter of the 13th instant, that after the warnings had been given, which I have recalled to your recollections, it was nevertheless permitted during whole months to those neutrals who made the request, to pass our lines without other restriction than their identity and their nationality should be certified, and that to this day our avant-postes place at the disposition of the members of the corps diplomatic, and of those persons whose presence is required by their governments or by their diplomatic agents, the safe-conduct necessary for them to pursue their journey. Many of the signers of the letter of January 13th instant were notified some months since that they could pass our lines, and they have for a long time had the authorization of their respective governments to leave Paris. Hundreds of subjects of the neutral powers, whose representatives have addressed to us the same requests in their favor, are in a similar position. We have no authentic knowledge of the reasons which have prevented them from availing themselves of a permission which they have had for a long time; but if private communications are to be believed, it is the French authorities who have opposed their departure, and even that of the diplomatic representatives. If this information is correct, we can only recommend to those who are compelled against their

ll to remain in Paris to address their complaints and their protestations to the rep-
entatives of the existing power. Under all circumstances, I feel authorized, after
at I have stated, not to admit, as far as the German authorities are concerned, the
sertion contained in the letter of January 13th instant, that the countrymen of the
gners have been prevented from withdrawing themselves from danger by the "diffi-
lties opposed to their departure by the belligerents."

We will even maintain, at this day, the permission accorded to the members of the
plomatic corps to pass our lines, considering this to be a duty of international
urtesy, however difficult and injurious it may be to our military operations in the
esent state of the siege. As regards their numerous countrymen, I regret that I can-
t. at the present day, see any mode, other than the surrender of Paris, for them to
ithdraw themselves from the dangers inseparable from the siege of a fortress.

If it were admissible in a military point of view to organize the departure from Paris
a portion of the population, which may readily be estimated at 50,000 men, with
eir families and their property, we should not have the supplies to feed them, or be
ble to provide for their transportation the means which would be necessary to enable
em to cross the zone which the French authorities caused to be abandoned and stripped
f all its resources before the investment of the city. We find ourselves in the sad con-
ition of entire inability to subordinate military operations to the sympathies with
hich the sufferings of the civil population of Paris inspire us. Our line of conduct is
igorously prescribed by the necessities of war, and by the duty of guarding our troops
gainst new attacks by the enemy's army. After our conscientious observance of the
onvention of Geneva, which we have given proof of under the most difficult circum-
stances, it would be superfluous to give the assurance that the German artillery does not
direct its fire intentionally upon buildings occupied by women, children, and sick per-
sons. In consequence of the very nature of the fortifications of Paris, and of the dis-
tance at which our batteries are still placed, it is as difficult for us to prevent damage
by accident to buildings which we would desire to spare as to prevent wounds from
being inflicted upon the civil population, which are to be deplored in every siege. If
these painful accidents, which we sincerely regret, occur in Paris on a larger scale than
in other besieged fortresses, we must conclude that either it should not have been con-
verted into a fortress, or that it should not have prolonged its defense beyond a certain
period. In no case can it be permitted to any people, after having declared war against
its neighbors, to preserve its principal fortress from surrender by invoking the kind
consideration of the enemy for the inoffensive population, for the foreigners who dwell
in the fortress, or for the hospitals which may be there, in the midst of which its troops
seek shelter, and where, after each of their attacks, they are enabled to prepare others
under the shelter of these hospitals.

I beg you, sir, to have the kindness to bring my reply to the knowledge of the sign-
ers of the letter of January 13th instant, and to receive the renewed assurance of my
high consideration.

v. BISMARCK.

[Inclosure.]

The minister of the Swiss Confederation at Paris to Count de Bismarck-Schoenhausen, chancellor of the North German Confederation, at Versailles.

PARIS, *January* 23, 1871.

SIR: I had the honor to receive the reply addressed by your excellency, the 17th instant, to the note signed on the 13th of the same month by the members of the diplomatic corps at Paris, as well as by a certain number of members of the consular corps, in the absence of their respective embassies and legations. In accordance with the wish expressed by your excellency, I immediately communicated this reply to the signers of the note of January 13. I have been charged by their unanimous resolution to call your excellency's attention to certain errors contained in your reply.

Your excellency informs the signers that by a circular, bearing date October 4, you endeavored to show the consequences which must ensue to the civil population of Paris from a resistance prolonged to its extreme limit, and you add, "On the 29th of the same month this circular was communicated by me to the minister of the United States of America, whom I begged at the same time to communicate it to the members of the diplomatic corps." After having made the necessary examination, Mr. Washburne declares that no communication expressing a wish of the kind has been received by him, and that this statement is erroneous. In another passage of your reply, your excellency expresses yourself as follows: "I believe myself authorized, in accordance with what I have just stated, not to admit (as far as the German authorities are concerned) the assertion contained in the letter of January 13, that the countrymen of the signers were prevented from withdrawing themselves from danger by the difficulties opposed to their departure by the belligerents."

While acknowledging the readiness with which your excellency placed at the beginning of the siege "sauf conduits" at the disposal of persons belonging to neutral states, and not denying the fact that the French military authorities thought proper to revoke at the commencement of November permission before granted, it nevertheless results from the declaration of several members of the diplomatic and consular corps, that in the course of the same month your excellency informed them that the German military authorities had "resolved to grant to no one permission to cross the lines of the besieging troops." The signers of the note were therefore correct in declaring that "difficulties had been put in the way of the departure of the *belligerents*."

Your excellency adds that, in accordance with private communications which you have received, the French authorities opposed the departure of the diplomatic representatives of neutral states. This fact not having been brought within the knowledge of any one of the chiefs of the diplomatic corps present at Paris, it may be assumed that these private communications were founded upon erroneous information. On submitting to a fresh examination the correspondence upon this subject, you will easily convince yourself, sir, of the accuracy of the corrections which I have had the honor to submit to you. As regards the *substance* of their request, it appears to the signers of the "note" of January 13 that the point of view in which the German military authorities have placed themselves is too widely different from their own, and that the refusal is conceived in too positive terms to permit that any further argument upon the principles and usages of the law of nations should reach the desired conclusion. They cannot, however, omit to observe that your excellency principally endeavors to show, invoking the authority of Vattel, that the laws of war authorize, as a last extremity, the bombardment of a fortified city. The intention of the signers of the "note" of January 13 was not to contest this extreme right. They confine themselves to affirming, and they believe that they can maintain, in accord with the best authorities on modern international law, and with the precedents of the different periods, the rule that the bombardment of a fortified city should be preceded by notice.

There remains, therefore, only to the diplomatic and consular representatives of the neutral states, in consequence of the duties which are imposed upon them by the gravity of the situation, and of the importance of the interests at stake—the duty to communicate to their respective governments the correspondence exchanged with your excellency, while always insisting upon the substantial foundation of their request.

It may be permitted me, in conclusion, to express in the name of the signers of the "note" of January 13, as well as in my own, my lively and sincere regret that the German military authorities could not resolve to reconcile the necessities of war with the wish to diminish the sufferings of the civil population of every nationality residing in Paris.

I take this occasion to beg you to receive, sir, &c.

The minister of the Swiss Confederation,

KERN.

No. 159.

Mr. Washburne to Mr. Fish.

No. 358.] LEGATION OF THE UNITED STATES,
Paris, February 4, 1871. (Received February 23.)

SIR: In transmitting my correspondence with Count Bismarck, in relation to the dispatch-bag, to you, one letter from me to him was omitted, and I have the honor to inclose you herewith a copy thereof, to be placed with the correspondence.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.]

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, January 2, 1871.

SIR: I beg leave to thank you for sending my dispatch-bag at an earlier period than heretofore. I am enabled thus to answer the dispatches of my government to go out

the courier to-morrow morning. I should be very glad if they could arrive in London by Friday, so as to go by the Saturday steamer. I duly received the London journals, and it is unnecessary to say that their contents have been most strictly guarded. I think there must have been some misapprehension in London in regard to my private letters. Mr. Moran, our chargé d'affaires, writes me that he was not permitted to send me any letters, except from my wife, who is now at Brussels. The consequence is that private letters to me from the United States minister at Brussels, from my son, who is in college in the United States, another son, who is at school in London, as well as a great many letters from my personal and political friends at home, have been detained, and are now at London. As the greater includes the less, I suppose that, after you had kindly conceded to me the journals containing military and political information, there would be no objection to my receiving my private correspondence, having probably no reference to such matters, but if containing any information, it would be equally guarded with information I obtain from the journals. If such should be your understanding, I would be very glad if you would so telegraph to London, so my letters can come to me by the bag which leaves London next Friday. I should hope by the following Wednesday to receive them.

I have the honor, &c.,

E. B. WASHBURNE.

No. 160.

Mr. Washburne to Mr. Fish.

[Extracts.]

No. 362.] LEGATION OF THE UNITED STATES,
Paris, February 5, 1871. (Received February 23.)

SIR: During the past week the people of Paris have been patiently and quietly awaiting the *ravitaillement*, and agitating the question of the election of members to the national assembly which is to convene at Bordeaux on the 12th instant. Small quantities of provisions have commenced coming in to-day.

The first train contained supplies sent by the population of London to the population of Paris. These supplies have been distributed among the twenty arrondissements in proportion to their respective population, and are to be given out only to the most necessitous. It will be but a short time I hope before all can be reasonably supplied. The lower classes in the city have during the last months of the siege suffered untold miseries of cold and hunger, and with a patience and fortitude which does them great credit. Indeed the suffering of all classes has been very great, and it might be said that all classes have sustained the sufferings and privations of the siege in a manner that must excite the wonder and admiration of the world. * * * * *

Now that the siege is over I am thankful that I have remained through it all, for I believe that I have been of some service to the interests with which I have been charged. It is with pleasure that I am enabled to state that I have succeeded in protecting all American property in Paris, and that no harm has come to any of our Americans who have remained here. This statement must be qualified, however, so as not to apply to the young American, Mr. Swager, who lost his life by having his foot torn to pieces by a Prussian shell, and to the two young men whose property was destroyed by the bursting of a shell in their apartment in the Latin quarter.

Several attempts were made to interfere with American property at different times, but I must give the government of the National Defense the credit to say that they have treated all such matters as I have deemed it necessary to bring to their attention with the utmost fairness and consideration. In the first place it was proposed to quarter the Garde mobile in the American apartments, but upon an application

to Gambetta, then minister of the interior, he gave an order that it should not be done. Afterward the city authorities proposed a special tax upon the apartments of the absent, which bore very heavily upon our countrymen. I had a correspondence with M. Jules Favre upon that subject, which I had the honor to transmit you and by which you will have seen that the city authorities were overruled and the tax not enforced. Then it was proposed to put the refugees from the neighboring villages, who had come into Paris, into the apartments of some of the Americans. I resisted that, and the intention was not carried out. And when the bombardment took place, and the people from that part of the city exposed to the shells were driven out, it was proposed to shelter them in the vacant apartments in the other parts of the city. Many of the apartments of the Americans were threatened in this way, but I gave orders that in no case would I consent to have the furnished apartments of Americans occupied in this manner, and I am happy to say that no apartment has thus been occupied. And lastly, after the armistice was declared, and all the troops came into the city, another attempt was made to quarter soldiers and officers also in the vacant apartments of Americans, but I protested against that, and no apartment has yet been occupied in that way. I hope, therefore, that when our country people return to their homes in Paris they will find everything in as good condition as when they left.

Very little damage has been done to the property of the people of other nationalities with whose protection I have been charged. At an early period the home of a German, Mr. Hedler, was invaded by the garde mobile in search of Prussian spies, and some damage was done to the furniture. Upon my representation of the matter to the government, Count de Kératry, who was then the prefect of police, took the affair promptly in hand, brought the offending parties to punishment, and permitted agents selected by me to assess the damages, which were promptly paid. Immediately after the breaking out of the war I took under my protection the magnificent hotel of the Prussian embassy in the Rue de Lille. All the persons who had charge of it, even down to the concierge, had been expelled from France, and as it seemed to be the objective point of the hostility of the Parisian population, I had great fears of its safety. I at once placed it under the charge of an American friend in Paris, who has exercised a most vigilant guardianship over it, and protected it from all harm. While there has been a good deal of hostility against me among a certain number of the population of Paris during the siege, and while I have been assailed in the clubs and in the newspapers on account of my protection of the Germans, I have no cause whatever for complaint against the government of the National Defense, but have been treated by them with the greatest kindness and with all the consideration due to me as the diplomatic representative of our country.

I have, &c., E. B. WASHBURNE.

No. 161.

Mr. Washburne to Mr. Fish.

No. 365.] LEGATION OF THE UNITED STATES.
Paris, February 8, 1871.

SIR: I received yesterday a telegraphic dispatch from Mr. Motley, through the intermediary of Count de Bismarck, stating that £2,000

ıd been placed to my credit with the banking-house of J. S. Morgan Co., London, as a first installment of a subscription in New York City r the "poor of France." I immediately called on Mr. Jules Favre to nsult him as to the best manner of distributing this fund, and he ggested that the portion of it to go to Paris and the surrounding llages should be placed in the hands of Mr. Ernest Picard, the min- ter of finance, who would associate with him a commission, to include ıe American, who would attend to its distribution. I have named Mr. ›seph Karrick Riggs, long a resident of Paris, and a gentleman of ›nor, responsibility, and intelligence. I have this day sent to Mr. avre 35,000 francs, to go into the hands of Mr. Picard. I have sent ',500 francs to Stephen S. Lee, esq., a responsible American gentle- an residing at Tours, to be distributed among the poor in the valley : the Loire. No man can make a more just and satisfactory distribu- on than Mr. Lee. I have retained 2,500 francs in my own hands for ıture disposition. This amount sent me is represented as the "first ıstallment." By the time another installment arrives I hope to be ılly advised as to the distribution it will be best to make of it. The ufferings of the poor in all parts of France where the hostile armies ave been, are so terrible that it is very hard to discriminate as to the ›calities where aid shall be sent.

I have no knowledge of the benevolent parties who have made this ;enerous subscription in the city of New York, and I am, therefore, ınable to communicate with them as to what I have done thus far. If 'ou shall know them, perhaps you will deem it proper to communicate o them the contents of this dispatch.

I have, &c.,

E. B. WASHBURNE.

No. 162.

Mr. Washburne to Mr. Fish.

No. 366.] LEGATION OF THE UNITED STATES,
Paris, February 18, 1871. (Received March 9.)

SIR: I returned from Brussels to Paris on Wednesday last, after an absence of a few days on a visit to my family, and have since been confined to my bed by a severe bilious attack. Things have progressed in a very quiet and satisfactory manner since the armistice. Provisions have come rapidly into the city and there is now no further want. I have not been out of my house since my return, but I am told there has been the most wonderful change in the appearance of things all over the city; and if, happily, peace should come to France, we shall all soon forget the horrors of the last few months. You must receive quite as early and quite as full accounts as I do of the proceedings at Bordeaux. Matters are taking a more favorable shape there than I had supposed they would. Thiers is to-day the leading spirit in France, and I anticipate that in due time we shall have a government called a "Republic," with Thiers at its head. There are many, however, who insist that the Orleans dynasty will come in. The empire has fallen, and the late proclamation of Louis Napoleon has been badly received.

I have, &c.,

E. B. WASHBURNE.

No. 163.

Mr. Washburne to Mr. Fish.

No. 367.] LEGATION OF THE UNITED STATES,
Paris, February 18, 1871. (Received March 9.)

SIR: I have the honor to send you herewith a copy of a translation of an official letter from Mr. Jules Favre, acknowledging the receipt of thirty-five thousand francs sent to him by me from the fund remitted from New York for the poor of France, and also a translation of a copy of an unofficial note of the same purport.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.—Translation.]

Mr. Favre to Mr. Washburne.

PARIS, *February* 10, 1871.

SIR: I have received, with the letter you did me the honor to write me on the 8th of this month, a check for thirty-five thousand francs, representing the amount of the subscription opened at New York in favor of the French poor who have suffered from the present calamities. I hasten to thank you for the gift of these funds, and I shall be obliged to you if you will inform the citizens of New York who have united in this subscription of our profound gratitude for their generous assistance. I have agreed with the minister of finances that the distribution of the amount which you have sent me shall be made through a commission, of which Mr. J. Karrick Riggs is, according to your wish, to be a member.

Receive, &c.,

JULES FAVRE.

[Inclosure 2.—Translation.]

Mr. Favre to Mr. Washburne.

SIR: I am infinitely touched by the striking mark of sympathy which my country receives from your free America, and I beg you to convey the impression of my gratitude to your countrymen of New York who have been kind enough to take the initiative in this generous offering addressed to France so cruelly tried. I transmit to-day to my colleague, M. Picard, minister of the finances, the check for thirty-five thousand francs you have had the kindness to send me, begging him to name, for the distribution of this amount, a commission, of which Mr. Joseph Karrick Riggs shall be a member—the gentleman whom you have named, and who will hasten to take your instructions.

I take this occasion to renew the assurances with which I have the honor to be,

JULES FAVRE.

No. 164.

Mr. Washburne to Mr. Fish.

No. 368.] LEGATION OF THE UNITED STATES,
Paris, February 21, 1871. (Received March 9.)

SIR: We have reached another stage in the progress of the extraordinary events which have convulsed France for the last seven months. M. Thiers having been named by the National Assembly at Bordeaux chief of the executive power and president of the council of ministers of the French Republic, has selected his ministers. The new ministry

annbunced in the Journal Officiel of this morning. I advised you of e fact of the complete organization of this new government by tele-aph this morning, and asked instructions. Four of the old ministers e in the new ministry. Much to my gratification M. Jules Favre re-ins the portfolio of foreign affairs, M. Ernest Picard has been trans-red from the finance to the interior department, M. Jules Simon re-ains in the public instruction, and General Le Flo in the war. The inister of finance has not yet been designated; rumor has it that this rtfolio will be confided to Buffet, one of the late ministers of finance ider the empire. He has the reputation of being an honest and capa-e man; but, when he was minister, he distinguished himself by his position to any liberal postal treaty with our government. Of the her ministers, De Larcy is the minister of public works, Lambrecht is e minister of commerce, and Vice-Admiral Pothuan is minister of the arine and the colonies. The antecedents of the last three gentlemen imed I am not familiar with. All the gentlemen have accepted the rtfolios which have been confided to them.

Messrs. Thiers, Favre, and Picard arrived yesterday from Bordeaux, id to-day Mr. Thiers has gone to Versailles to open negotiations for a ace. The national convention at Bordeaux, after having appointed iteen commissioners to assist in the peace negotiations, took a recess ntil negotiations shall have been concluded.

I have the honor to send you the communication which Mr. Thiers ade to the National Assembly at Bordeaux on Sunday last. I am ire you will read with profound interest that wonderful production that venerable and patriotic man. He is now the leading figure in rance. The nation leans upon him with hope and confidence.

My health has not permitted me to be out in the city for the last few ays, but I understand that a most wonderful change has taken place; iat Paris has become quite herself again. The tone of the press, how-ver, shows there is intense anxiety in regard to the peace. The great roblem must soon be solved, for it is evident, from the expression of he German official paper at Versailles, that the whole matter must be ettled without much further delay. Of all these matters you will be ully advised by telegraph before you receive this dispatch.

I have, &c.,

E. B. WASHBURNE.

No. 165.

Mr. Fish to Mr. Washburne.

No. 239.] DEPARTMENT OF STATE,
Washington, February 24, 1871.

SIR: Your Nos. 350, 353, and 358, severally dated 23d, 30th ultimo, and 4th instant, have been received.

Your letters to Count Bismarck on the subject of the dispatch-bag, and its conveyance to and from Paris, meets the entire approval of the department. It is dignified, forcible, and just.

It was not unnatural that the powers besieging Paris during their long and terrible efforts should have had their susceptibilities aroused at times, by the various rumors and statements (originated and put in circulation possibly for the very purpose of operating upon those sus-ceptibilities) of information prejudicial to their military operations being conveyed into and from the beleaguered capital.

But it would be very much to be regretted, and would have been very unjust, had even a momentary suspicion found its lodgment in minds capable of achieving the results that have attended the civil and military operations of Germany toward the representative of a friendly state, and that representative being the one who, at the request of Germany, and with the consent of his own government, had charged himself with the arduous and critical duty of the care and protection of the German residents shut in with the millions of Frenchmen in the capital which Germany was endeavoring to reduce by siege, starvation, and bombardment.

The President observes, however, with satisfaction the very just disclaimer of any suspicion of the good faith of our conduct, in the letter of the chancellor of the North German Union to you, under date of 28th January last.

The question of the right of uninterrupted correspondence between a neutral power and its representative, duly accredited and resident in the capital of a belligerent, which, while he is thus resident, becomes the object of attack and siege by another belligerent, is now, happily, no longer one of immediate practical application.

It is satisfactory to notice that although Count Bismarck, in his note addressed to you on 6th December last, speaks of "obtaining for the legation of the United States the privilege of receiving closed dispatches," in his note of January 28 from Versailles he recognizes the principle asserted by me in a note addressed to Baron Gerolt on 21st November last (of which a copy was sent to you with my No. 206 of 22d November), and admits of no "doubt as to the right of your government to correspond with you."

The delays and interruptions to that right are, I trust, wholly of the past, and may have been, and it is hoped were, the unavoidable accidents of the then pending military strife. In the absence of any recurrence we are content with the recognition so fully made by Count Bismarck of the right which we claimed.

I inclose herewith for your archives, and in connection with the correspondence on this subject, a copy of a dispatch from Mr. Bancroft of 21st January, with a translation of a letter to him from Count Bismarck of 15th January last, replying to my note of 21st November (above referred to), addressed to Baron Gerolt, and of my reply to Mr. Bancroft of this date.

I am, &c.,

HAMILTON FISH.

Inclosures.

Mr. Bancroft to Mr. Fish, No. 183, January 21, 1871. Mr. Fish to Mr. Bancroft, No. 296, February 24, 1871. (See Foreign Relations, 1871, pages 372, 377.)

No. 166.

Mr. Washburne to Mr. Fish.

No. 373.] LEGATION OF THE UNITED STATES,
Paris, February 28, 1871. (Received March 20.)

SIR: The treaty of peace between France and the new German Empire, to be ratified hereafter by the National Assembly at Bordeaux, was signed at Versailles on Sunday afternoon last. It has not yet been pub-

shed, but the principal conditions are well understood. The news of ıe signing of the treaty was received in Paris on Sunday evening, and ; created, as you may well understand, a very profound impression. 'he condition that a portion of Paris is to be occupied by thirty thou- ınd German troops until the ratification of the treaty has produced an ıtense feeling, but I am in hopes the city will pass through this trying rdeal without any scenes of violence. It was generally supposed that ıe greater part of the German army about Paris would make a tri- mphant entry into the city, marching through its principal avenues, ut without quartering in any part of it. The change in the proposed rogramme, by having a smaller number of the troops enter and remain ere until the peace is ratified at Bordeaux, would seem to indicate that ıis partial occupation of the city was intended as a pressure on the 'ational Assembly to hasten its action. The government has made a trong appeal, counseling forbearance and moderation, and the press as, with great unanimity, seconded such appeal. Indeed, by a slip 'hich I cut from one of the journals and inclose to you herewith, you 'ill see that the publication of all the newspapers of Paris is to be sus- ended during the Prussian occupation. Our legation is situated in hat part of the city which is to be occupied by the German troops, and : is in this part that the greatest number of American residents have heir apartments. There has been a great deal of alarm felt by our ountrymen lest the German troops might be quartered upon them, but yesterday wrote Count Bismarck on the subject, and called his atten- ion to the correspondence between Mr. Bancroft and Mr. von Thile in re- ard to the protection of American property in the event of the entry f German troops into Paris, to the end that such orders might be given y their military authorities as would secure protection to all American roperty in the city. I will say there can be no reasonable doubt of the atification of the treaty by the assembly at Bordeaux. You undoubt- dly will have the full text of it by telegraph long before this dispatch 'ill reach you, and you will be able to form a judgment upon it, and etermine in your own mind whether the peace now to be secured will e a lasting one. It is impossible to tell what will be the influence of ime upon the French people, but I think it is safe to say that to-day here exists all over France such a feeling of hatred toward the Prus- ians as is almost without a parallel in the history of nations. The rticle which I send you herewith from the Siècle, one of the oldest and blest of the French journals, will give you a pretty good idea of the revailing sentiment in France upon this subject.

The principal negotiators of the treaty on the French side were Messrs. Thiers and Favre. A more cruel task was probably never before mposed on patriotic men, and it was only during the final hours of the ırmistice that the treaty was signed. I am advised by the most reliable uthority that the great "hitch" was in regard to the cession of the 'ortress of Belfort. That was persistently demanded by the Germans ınd equally persistently refused by the French negotiators, and at last Mr. Thiers declared absolutely that he would sign no treaty which ceded Belfort, though the Germans were willing to agree that they would not enter Paris if they could have Belfort. I think the retention of this mportant fortress by France will do much to reconcile the Parisians to he entry of the Germans into their city. Some of the American resi- lents of Paris have already returned here, and as soon as peace shall ıave been definitely made, and the railroad trains shall be running egularly for passengers and baggage, I shall expect to see them all ack. There has been considerable alarm expressed as to the future

health of the city, but I believe it is without any reasonable foundation. The number of deaths per week is decreasing. Provisions are now plenty and cheaper than before the siege. The great want here now is the means of locomotion, the greater number of the horses having been killed for food during the siege, but as soon as peace is made that want will be supplied. Paris has already become again quite Parisian, and during the last few pleasant days the streets have been filled by the same light-hearted population, presenting that cheerful aspect which so peculiarly belongs to this historic city. But when you go outside the walls the destruction and devastation of war can hardly be described. The most fearful and complete change is at St. Cloud; that beautiful village, with its magnificent palace, rich in the associations of centuries, is literally one mass of ruins. The Bois de Boulogne, stripped of its trees, is a sad sight, recalling to mind the fate which befell it under somewhat similar circumstances in 1815. The interior of Paris is not much changed. A great many large and beautiful trees on many of the avenues have been cut down, but the smaller trees are left standing, so the alteration is not so great as to be much remarked.

I have, &c.,

E. B. WASHBURNE.

No. 167.

Mr. Washburne to Mr. Fish.

No. 376.] LEGATION OF THE UNITED STATES,
Paris, March 1, 1871. (Received March 20.)

SIR: They have come in. At 9 o'clock this a. m. three blue hussars entered the Port Maillot, proceeded up the avenue of the Grand Army, and walked their horses slowly down the magnificent avenue of the Champs Elysées, with carbines cocked and fingers upon the trigger. These hussars looked carefully into the side streets and proceeded slowly down the avenue. But few people were out at that early hour in the morning. Soon after, six more made their appearance by the same route, and every few minutes thereafter the number increased. Then came in the main body of the advance guard, numbering about one thousand men, consisting of cavalry and infantry, Bavarian and Prussian, forming part of the eleventh corps, under the command of General Kamichi. By this time the crowd on the Champs Elysées had increased and met the advancing Germans with hisses and insult. A portion of the German troops then halted and with great deliberation loaded their pieces, whereat the crowd, composed of boys and "roughs," incontinently took to their heels. According to a previous understanding among the French, all the shops and restaurants along the route had been closed, but notwithstanding their vigorous asseverations that no consideration whatever would induce them to look upon or speak to the "Prussians," I found, on going to the Champs Elysées at half past nine o'clock, a large number of them attracted thither by a curiosity which they were unable to resist. In walking down the avenue to the point where the main body of the force had halted, in front of the Palace of Industry, notwithstanding the vehement protestations that had been made that no Frenchman would look at or speak to a German soldier, I counted a body of twenty-five French people, men, women, and children, in the most cordial fraternization with the German soldiers. Stopping for a moment to listen to the agreeable conversation which appeared to be carried on, a German

soldier advanced to salute me, and addressed me by name; he turned out to be the clerk at a hotel at Homburg les Bains, where I had lodged during my visit to that place in 1867 and 1869. From what I learn this evening the great body of the troops were reviewed by the Emperor of the new German Empire at Long Champs, before their entry into Paris. Instead, therefore, of the great mass of the troops entering at ten o'clock, as had been previously announced, it was not until about half past one o'clock in the afternoon that the royal guard of Prussia, in four solid bodies, surrounded the Arc of Triumph. Then a company of Uhlans, with their spears stuck in their saddles, and ornamented by the little flags of blue and white, headed the advancing column. They were followed by the Saxons, with their light blue coats, who were succeeded by the Bavarian riflemen, with their heavy uniform and martial tread. Afterwards followed more of the Uhlans, and occasionally a squad of the Bismarck cuirassiers, with their white jackets, square hats and waving plumes, recalling to mind, perhaps, among the more intelligent French observers, the celebrated cuirassiers of Nansousty and La Tour Maubourg, in the wars of the First Napoleon. Now come the artillery, with its pieces of six, which must have extorted the admiration of all men by its splendid appearance and wonderful precision of military movement. Next fell into line the royal guard of Prussia, with their casques and glittering bayonets, which had been massed around shining renowned Arc of Triumph, erected (and with what bitter sarcasm may now be said!) to the glory of the grand army. I witnessed the worry from the balcony of the apartment of Mr. Cowdin, at the head of the Champs Elysées. A good many French people were on the sidewalks, on either side of the avenue. At first the troops were met with hisses, cat-calls, and all sorts of insulting cries, but as they poured in thicker and faster, and forming by companies, as they swept down the avenue to the strains of martial music, the crowd seemed to be awed into silence, and no other sound was heard but the tramp of the soldiery and the occasional word of command. The only disturbance I saw was occasioned by some individual advancing from the sidewalk and giving his hand to a German cavalryman, whereat the crowd "went for" him; but his backing seemed so powerful that the discontents soon dispersed without inflicting any injury. The entry of the main body of the troops occupied about two hours, and, after that, they began to disperse into the various quarters of the city to which they had been assigned, in search of their lodgings. We were busily engaged at the legation almost the entire day endeavoring to secure protection for American apartments and property, and which will be made the subject of another and further communication. At 5 o'clock I went to see Mr. Jules Favre, in relation to the sudden and indiscriminate billeting of the German soldiers upon the American residents, and learned from him of the probabilities of the ratification of the treaty of peace by the assembly at Bordeaux this evening, and of his hopes that everything would be settled before to-morrow morning, and that the German troops would be withdrawn from the city to-morrow. He seemed to think there was no doubt of the ratification of the treaty. He had been in hopes that it would have been ratified last night, and thus have prevented the entry of the Germans into Paris at all. But Mr. Thiers had been unfortunately delayed in reaching Bordeaux, which necessitated the postponement of action until to-day. Mr. Favre said he would send me notice of the ratification of the treaty the moment he received it, in order that I might telegraph you of the result. Starting to return to my residence on the other side of the Seine, I found the bridge guarded

by French soldiers, who resolutely refused to let me pass. Soon a large crowd of "roughs" appeared and attempted to force the guard, and for a time it looked as if a sharp little battle was to be improvised. After standing around for about an hour, I was enabled, by the courtesy of a French officer, to slip through the guard and finally to reach my residence. My coachman was so thoroughly penetrated with fear of the "Prussians," that he utterly refused to harness his horse during the day, and, as I have been obliged to be upon my feet most of the time since morning, you can well imagine my fatigue as I sit down to write this dispatch in the evening.

As I now write it is eleven o'clock at night. The day opened cloudy and somber, with a raw and chilly atmosphere. A little after noon the sun came out bright and warm, and the close of the day was magnificent. Colonel Hoffman and Mr. Harrisse, who have been through the city this evening, have come in to report as to the situation. From the Boulevard du Temple to the Arc of Triumph not a store or a restaurant is open, with the exception of two of the latter on the Champs Elysées, which the Germans have ordered to be kept open. There are no excited crowds on the boulevards, and, what is very remarkable and without precedent in the memory of the "oldest inhabitant," not an omnibus is running in the whole city and every omnibus office is closed. Neither is there a private or a public carriage to be seen, unless a hearse shall be deemed and taken as a "public carriage;" unfortunately, too many of which are to be seen now every hour of the day. Paris seems literally to have died out. There is neither song nor shout in all her streets. The whole population is marching about as if under a cloud of oppression. The gas is not yet lighted, and the streets present a sinister and somber aspect. All the butchers' and bakers' shops in that part of the city occupied by the Germans are closed, and if the people had not provided themselves for the emergency, there would have been much suffering. The Bourse has been closed by the order of the syndics of change. No newspaper has appeared to-day, except the Journal Official. No placards have been posted upon the walls of Paris, and, up to this moment I can hear of no act of violence of any significance. I have, this evening, sent you a telegraphic dispatch stating that the entry of the German troops has been quiet and peaceful, and that all is calm in Paris. I do not know that it will reach you. The headquarters of General Kamichi, in command of the troops of the occupation, is in the splendid hotel of Christina, ex-Queen of Spain. It is but just to say that the people of Paris have borne themselves to-day with a degree of dignity and forbearance which does them infinite credit. I propose dispatching a special messenger to London to-morrow to take this and other dispatches, so that they may go by the steamer which leaves Liverpool on Saturday next at noon.

I have, &c., E. B. WASHBURNE.

No. 168.

Mr. Washburne to Mr. Fish.

No. 379.] LEGATION OF THE UNITED STATES,
Paris, March 2, 1871. (Received March 20.)

SIR: My messenger to London, who was to have left this morning, was unable to get off and only leaves this evening. I have but little to add to my dispatch of yesterday, No. 376. At an early hour this morn-

ng I received a note from Mr. Jules Favre, advising me of the ratification of the treaty at Bordeaux, and saying that he should go to Versailles this morning and demand from Mr. Bismarck its immediate execution. I at once sent you a telegram to that effect, a copy of which you will find in a separate dispatch. I had understood from Mr. Favre that one of the provisions of the treaty was that the German troops should leave Paris immediately on the ratification of the treaty by the National Assembly. I had supposed, therefore, that such troops would have left Paris in the course of this afternoon. Such, however, is not the case, for at this hour (6 o'clock p. m.) there seems to be a larger number of German troops in the city than there was at any time yesterday. Everything, however, is perfectly quiet. The Champs Elysées, from the Arc of Triumph to the Place de la Concorde, has to-day been crowded with German soldiers, and this afternoon I saw great numbers of French people on the avenue mingling with them. The shops and restaurants in many parts of the city remain closed, but in other parts, more remote from the portion occupied by the Germans, everything is going on as usual. In driving out through the Boulevard du Temple to the Bastile, and returning by the Rue St. Antoine and the Rue de Rivoli, as far as the Hotel de Ville, I found the stores all open, the omnibuses and carriages in the street as usual, and the streets filled with people. No one could have supposed that the hated enemy of France held military occupation of the city. The day has been remarkably pleasant. In all parts of the city where I have been, in which circulation has not been interdicted by the military authorities, the streets have been crowded with people, but yet there was no unusual excitement anywhere.

Lieutenant General Sheridan, accompanied by a member of his staff, General Forsyth, arrived here this afternoon from Bordeaux, which city he left at 6 o'clock last evening. I understand from him that he proposes to remain in the city for some time.

I have, &c, E. B. WASHBURNE.

No. 169.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, March 3, 1871.

SIR: I am now giving assistance to twenty-nine hundred Germans. There are more than a thousand heads of families who have their little apartments. After so many months of famine, cold, and persecution, it is not to be wondered at that they are anxious to leave Paris now that peace is made. They are nearly all without any resources whatever. They owe their rent, and they cannot move their household effects until such rent is paid.

I beg leave to call the attention of your excellency to the condition of these people, whose terrible sufferings for the last few months will, I am certain, challenge your earnest sympathies.

I have the honor to be, &c.,

E. B. WASHBURNE.

His Excellency COUNT DE BISMARCK,
&c., &c., &c.

Receipt dated March 4, 1871, given by Mr. Gerrish, counsel at Nantes, for 150 francs paid out to German subjects.

No. 170.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, March 6, 1871.

SIR: I am in receipt of a letter from the United States consul at Marseilles, to the effect that he has already repatriated seven German sailors, and that he proposes to repatriate nine more, at an expense of about 55 francs per man. I have answered him that I shall reimburse what he has already expended, but that, in view of the great expense and of the fact that peace has been made, I have desired him to make no further disbursements for the purpose, unless authorized by me. I do not propose to authorize such expenditures in future, unless your excellency should desire me to do so.

I take this opportunity, &c.,

E. B. WASHBURNE.

His Excellency COUNT DE BISMARCK,
&c., &c., &c.

No. 171.

Mr. Washburne to Mr. Fish.

No. 384.] LEGATION OF THE UNITED STATES,
Paris, March 8, 1871. (Received March 24.)

SIR: They have gone out. *Consummatum est.* In my No. 379 I spoke of the ratification of the treaty by the National Assembly at Bordeaux, my notification of the fact by Mr. Jules Favre, and the apparent delay of the German troops in leaving Paris.

These troops, that is, the thirty thousand of them, the number stipulated in the treaty, came in, as I wrote you, on Wednesday, the 1st day of this month. The third article of the treaty provided that immediately after the ratification of the treaty by the National Assembly, sitting at Bordeaux, the German troops should quit the interior of Paris. The ratification of the treaty was had on Wednesday evening, and the fact was telegraphed immediately to Mr. Jules Favre. At 6 o'clock on the next morning he left for Versailles to demand, in conformity to its provisions, the immediate evacuation of the interior of Paris. The German headquarters, however, refused to receive the telegraphic intelligence as conclusive evidence of the fact of ratification, and insisted upon a regularly certified copy of the proceedings of the National Assembly. It was not until eleven o'clock on Thursday morning that the special messenger arrived from Bordeaux with a regularly certified copy of the proceedings of the assembly ratifying the treaty, and at half past twelve Mr. Jules Favre, then armed with the official documents, again proceeded to Versailles to claim the exchange of ratifications. But it was not until nine o'clock of that evening (Thursday) that the details for the evacuation were regulated by the French and German military authorities. It was agreed that the evacuation should commence the next (Friday) morning at eight o'clock, and terminate at eleven. The German troops commenced moving out at the appointed time, marching up the Champs Elysées and passing under the Arch of

Triumph, with great cheering. At eleven o'clock precisely the last German soldier passed through the gate of the Porte Maillot, and Paris breathed free. During the occupation there was a good deal of excitement in that portion of the city occupied by the German troops, but there was no serious disturbance anywhere. Indeed, everything passed off much better than could have been anticipated. No sooner were the troops fairly on their way out of the city than the closed stores, cafés, restaurants, and hotels threw open their doors, the avenue Champs Elysées was swept and sprinkled, and the magnificent fountains in the Place de la Concorde began to play. At three o'clock in the afternoon (the day was splendid) all the invested part of the city, which had for two days been under the guise of a funeral pall, presented a most gay and cheerful aspect, and the people looked far happier than I had seen them for many long months.

I have, &c., E. B. WASHBURNE.

No. 172.

Mr. Ward to Mr. Washburne.

LEGATION OF THE UNITED STATES,
Paris, March 9, 1871.

SIR: According to your instructions, I took the necessary steps to have released from the prefecture depot the 74 German subjects who, having entered Paris without leave, had been arrested by the national guard and taken to the prefecture for protection, some of them being bearers of large sums of money, obligations, and so forth. They were yesterday afternoon conveyed to the Gate St. Lazare in cellular carriages, and thence by rail to Versailles, taken care of by the German military authorities for the night, and were forwarded to-day by military train to Germany.

The exasperated state of the Paris population rendered great precautions necessary, and their departure was fortunately effected safely, and at a small expense of 108 francs, including relief of 98 francs to the destitute.

The Germans detained for safety at the *Prison de la Santé* and *Communauté des Sœurs de la Croix* are being liberated, a few at a time, so as not to draw attention to them. Of these some thirty will probably wish to return to their country. Measures have been taken to carry them to Lagney, where they will take the German military trains for their homes, having received a small amount of pecuniary aid from this legation. Allow me to add, sir, that I have throughout received all aid and courtesy from the French police, prison and public authorities, in the dispatch of this business.

I have the honor to be, &c., ALBERT LEE WARD.

Hon. E. B. WASHBURNE, *&c., &c., &c.*

No. 173.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, March 11, 1871.

SIR I have the honor to inclose you herewith a report made to me by my private secretary in regard to the release from prison of certain

Germans who had been in Paris during the siege, and who had been arrested by the national guard and taken to the prefecture for protection.

I had the honor to address you a brief note on the 3d instant, calling your attention to the large number of Germans to whom I was giving assistance and who are anxious to leave Paris. I have not yet had the pleasure of receiving a reply to such a note.

I am again constrained to call your attention to the subject for the reason that the position of these poor people is becoming worse and worse every day, for since the peace the hostility of the people of Paris to the Germans remaining here has greatly increased, and threats are freely made that no German shall be permitted under any circumstances to remain in Paris. There is danger that acts of violence will be committed upon Germans who are now here. Indeed such acts have already been committed. Several of their places of business have been broken into and the contents destroyed.

An anti-Prussian league has been formed and is sending around anonymous letters to Germans, warning them to leave in twenty-four hours or take the consequences of remaining.

One of the city newspapers, of large circulation, has published a notice which has been placed upon the walls, calling upon all persons who know of Germans remaining in the city to send in their names, which is for the purpose of having them denounced to the public.

I send you inclosed two copies of the Paris Journal, in which you will see many of these denunciations. My advice is that Germans should not come to Paris during the present excited state of feeling.

I have thus far seen no indisposition on the part of the French authorities to protect, as far as they can, the persons and property of the Germans, but under present circumstances I fear that it will be impossible for them to afford any adequate protection.

I have the honor to be, &c.,

E. B. WASHBURNE.

His Excellency COUNT DE BISMARCK,
&c., &c., &c.

No. 174.

Mr. Washburne to Mr. Fish.

No. 389.] LEGATION OF THE UNITED STATES,
Paris, March 15, 1871. (Received March 31.

SIR: In my dispatch numbered 376, I had the honor to state that my efforts to secure protection for American apartments and property, during the occupation of Paris, would be made the subject of a further communication. You will recall to mind that, on the 29th of August last, looking to possibilities, I telegraphed and wrote to you, suggesting whether you would not ask the German Government to protect American property in Paris, in the event its army reached here. In your dispatch numbered 158, dated August 30, 1870, you state that "instructions will be forwarded by this day's post to Mr. Bancroft, to ask that in the event of the occupation of Paris by the German force, American property may be respected." In your dispatch numbered 190, and dated October 18, 1870, you state that Mr. Bancroft was "instructed to ask that proper

asures be taken by the government of North Germany for the protection of American property in Paris, in the event of the occupation of t city by the German forces." In reply Mr. Bancroft states, in his patch No. 143, dated September 29, 1870, that he had addressed to secretary of foreign affairs a request that measures might be taken the protection of the large amount of American property in Paris, its occupation by the German troops, and concludes as follows: "I nd a translation of the reply of Mr. Von Thile conveying the desired assurances."

Notwithstanding the somewhat non-committal character of Mr. Von Thile's letter to Mr. Bancroft, Mr. Bancroft understood it, as I presume you did, and as I certainly did, that American property in Paris would be respected by the German troops in the event of their occupation of the city. As soon as it was officially announced that a certain number of German soldiers were to enter Paris, and as they were to occupy that portion of the city where the greatest number of Americans resided, I lost no time in addressing Count de Bismarck on the subject. A copy of my letter to him I send you herewith. In view of Mr. Von Thile's letter, and of the fact that French soldiers had not been billeted on Americans, I felt entirely confident that the German soldiers would not be quartered in American apartments. Although I sent my letter to Count Bismarck by a special messenger on the day on which it was written, I received no answer from him until eight o'clock on the evening of the 3d of March, nine hours after the last German soldier had left the city. A copy of that answer I inclose herewith for your information. On the day of the entry of the Germans into Paris the legation was filled by people who had charge of American apartments, and who had come to claim my protection for them, stating that the German soldiers had been billeted on them by direction of the mayor of Paris. I must confess I was somewhat surprised that the mayor of Paris had given such an order, as none had ever been enforced billeting French soldiers upon Americans.

It now appears that the mayor, or his subordinates, had undertaken to quarter as many German soldiers as possible on foreigners, particularly Americans, and spare their own people. I immediately made an appeal to German officers, in view of what I considered the meaning of Mr. Von Thile's letter to Mr. Bancroft, that American property should be respected, not to quarter their soldiers in the apartments of my country men. As they had no order on the subject they did not consider themselves bound to conform to the suggestion of Mr. Von Thile's letter, but in many instances, upon a statement of the case, they did not insist upon going into American apartments, but found lodgings elsewhere. In other instances they went in under threats of using force unless the apartments were opened to them, although the American flag was in all cases displayed, and the persons in charge had papers from me certifying that the property belonged to Americans, and was entitled to be respected as such. Occupying the apartments for so short a time, and upon full explanation of the ownership of the property, and upon an earnest request that it should not be damaged, I am happy to say that scarcely any injury has been inflicted upon a single apartment. I made it a matter of complaint to Mr. Jules Favre that the mayor of Paris had billeted so many of the German soldiers in the American apartments while so large a number of the French apartments had been spared. He expressed great regret at such being the case, and said the condition of things had come upon them so suddenly that everything had been done in great confusion, and that if any damage whatever happened to Amer-

ican property by the German troops, all such damage should be scrupulously paid for. But no claim for damages has yet been put in, and you can well imagine my relief in finding, at the end of the war, and after all the danger and tribulations through which we have passed in Paris, that out of American property estimated from seven to ten millions of dollars, the damage by the casualties resulting from the state of war does not amount to $500, excepting always the horses which were taken by requisition for food at a stated price per pound, and not according to values.

* * * * * * *

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.]

Count Bismarck to Mr. Washburne.

VERSAILLES, *February* 28, 1871.

SIR: I had the honor of receiving your letter of yesterday's date on the subject of the forthcoming entry of German troops into Paris. In answer I beg to say, in confirmation of a letter of Baron Thile, of September 28, that the German troops, as a rule, respect private property, and that any of the exigencies of war necessitating a deviation from that rule is not likely to arise during the intended partial occupation of Paris.

Respecting the billeting of soldiers, how desirous soever we are to exempt or alleviate citizens of friendly states, who have their domicile or residence in France, I cannot acknowledge a claim to such exemption as founded in international law, landed property and tenements of aliens not bearing any character of exterritoriality.

I also beg to observe that the military authorities who have to provide quarters cannot be expected to enter into researches about proprietorship of houses, or relations between landlord, tenant, and occupant.

I have, &c.,

v. BISMARCK.

[Inclosure 2.]

Mr. Washburne to Count Bismarck.

PARIS, *February* 27, 1871.

SIR: In view of the official announcement that a certain number of the German troops are to enter Paris on Wednesday next, to remain for somet ime, and of the fact that the part of the city in which they are to be quartered contains a very great number of apartments of American citizens, and a large amount of American property, I beg leave to call the attention of your excellency to the correspondence upon this subject between Mr. de Thile and Mr. Bancroft. I have the honor to inclose a copy of Mr. de Thile's letter in reply to Mr. Bancroft, who had applied on behalf of my government to have American property in Paris respected in case of the entry of the German troops.

As fear has been expressed by some of my countrymen that German soldiers might be quartered in their apartments, I have thought proper to call your attention to this subject, to the end that such action may be taken by the North German military authorities as would carry out the purposes expressed by Mr. de Thile. The proprietors of nearly all the American property in Paris have been provided by me with protection papers and authorized to display the American flag.

I take this opportunity, &c.,

E. B. WASHBURNE.

No. 175.

Mr. Washburne to Mr. Fish.

No. 390.] LEGATION OF THE UNITED STATES,
Paris, March 17, 1871. (Received March 31.)

SIR: Affairs in Paris for the past week have not been of very great interest. The National Assembly, as you will have seen, has removed its place of sitting from Bordeaux to Versailles, and the members of the government who were at Bordeaux have all returned to Paris. The

estion of the removal of the National Assembly from Bordeaux excited good deal of feeling and an animated discussion in that body. Verlles, by a large majority, was carried, over the unanimous report of committee in favor of Fontainebleau, by the powerful and personal luence of Mr. Thiers. The assembly meets at Versailles on Monday xt, and though it sits in that place the seat of government will be at ris. Mr. Thiers will occupy the splendid hotel of the minister of eign affairs, where he will hold his official receptions. The council ministers, however, is to hold its meetings at Versailles. The proedings of the assembly will be vastly important, and will be watched th the greatest interest. Its great mission will be to legislate for the mediate exigencies of the country, but it is not supposed that it will tempt to act as a constituent to form a new government, without, at y rate, obtaining a power for such purpose from the people by a plebite. It is quite evident to my mind that the tendency of the country to continue the republic, as the only form of government which can sustained in France at the present time. But political events are so certain in France, that it is unsafe to venture predictions as to what ay happen. Since the raising of the siege, some half a dozen very olent newspapers had been established, which were daily filled with e most revolutionary appeals, and teeming with incitations to bloded and civil war. A few days ago General Vinoy, military comandant of Paris, issued an order, not only suppressing the whole atch, but forbidding other papers of a like character to appear until e siege of Paris should be raised by direction of the national assembly. his order of General Vinoy has been unfavorably commented upon very enerally by the press, but I think it has given very general satisfacon to a large majority of the people of Paris. But that which has eated more talk and comment, and is, in my judgment, of far more erious import, has been the action of some regiments of the national uard, who seized upon large numbers of cannon and mitrailleuses, some wo weeks since, and fortified themselves on the Butte Montmartre. hese people have set up a sort of independent side-show in opposition the government. I do not regard any great degree of violence as probble, but it must be confessed that the condition of the lower and workg classes of Paris is alarming. Each man fit to bear arms has been nlisted in the national guard, receiving for himself a franc and a half a lay, and an additional sum for his wife, if married, and if he have hildren a certain sum for every child. But now, it having become necesary to disband the national guard and stop this pay, it is a question f the greatest gravity what is to befall these people. Every branch of ndustry is paralyzed; all building and improvement of the city has een stopped, and it is about impossible for the laborers to get work.

Nothing, as yet, has been disclosed as to the projects of the governnent for raising the money to pay off its indemnity to the Germans. There is an evident disposition in all circles to make a superhuman effort to satisfy this debt, and get the Germans out of France at the earliest possible moment. The procuring of such a vast amount of money will, I am afraid, interfere very much with the negotiations of our new five per cent. loan. To raise this money it is thought France will be obliged to offer its securities on better terms than our new loan can be had at. The French people have always had great faith in their own securities and in their own national credit, and do not generally go abroad after investments unless they can purchase foreign securities on terms that will bring them higher rates than their own will yield.

I have, &c.,

E. B. WASHBURNE.

No. 176.

Count Bismarck to Mr. Washburne.

[Telegram.—Translation.]

BERLIN, *March* 17, 1871. (Received March 17.)

AMERICAN MINISTER, *Paris:*

You are authorized to furnish to Germans desiring to leave Paris the means necessary to reach frontier. Please reimburse yourself from the fund of the legation.

BISMARCK.

No. 177.

Count Bismarck to Mr. Washburne.

[Telegram.—Translation.]

BERLIN, *March* 17, 1871—4 p. m. (Received March 17.)

Mr. WASHBURNE,
American Minister, Paris:

The excesses committed against the Germans at Paris are repeated in the provinces. Our officers and soldiers continue to be the victims of insults and attacks on the part of the inhabitants of the occupied departments. The facts impose on me the duty of recurring to your intervention for the purpose of obtaining from the French Government energetic measures to put an end to a state of things which may threaten with serious perils the wounded and sick whom our armies are forced to leave in the territories evacuated by them.

I beg your excellency to kindly call the attention of the French Government to these dangers, inviting it to provide, according to the treaties and the law of nations, for the protection of the Germans who shall need it.

BISMARCK.

No. 178.

Count Bismarck to Mr. Washburne.

[Telegram.—Translation.]

BERLIN, *March* 18, 1871—3 p. m. (Received March 18.)

AMERICAN MINISTER, *Paris:*

It appears that at Paris the persons and property of expelled Germans are subjected to taxes, intended to cover the costs of war. Please inquire and inform me of the result.

BISMARCK.

No. 179.

Mr. Favre to Mr. Washburne.

[Translation.]

PARIS, *March* 18, 1871.

MY DEAR MINISTER: I am in receipt of the dispatch kindly communicated to me by you, addressed to you by the chancellor of the empire, of date yesterday, March 17, and by which the chancellor informs you of excesses which have been committed on the persons of German officers and soldiers in the districts occupied by the German troops. Unfortunately I have no method of either verifying or repressing them.

When in conformity with the convention signed by General Count de Fabrice and the minister of finances the French administration shall be re-established, we will be able to intervene, and perhaps we will also have occasion on our side to call attention to acts of abuse by German soldiers whose proceedings are denounced to us every day by our fellow-citizens. What I can promise on my part is, that the government will do all that in it lies to protect German subjects who are found within its territory, asking of the Prussian authorities to give orders to their troops to respect discipline.

As to the war taxes exacted from Germans, the statement is utterly inexact and I beg you to deny it when you reply to Mr. de Bismarck.

I seize this occasion, &c.,

JULES FAVRE.

Mr. E. B. WASHBURNE,
&c., &c., &c.

THE COMMUNE.

No. 180.

Mr. Washburne to Mr. Fish.

No. 394.] LEGATION OF THE UNITED STATES,
Paris, March 19, 1871. (Received April 3.)

SIR: In my No. 390, of day before yesterday, I alluded to the insurrectionary movements in Paris, and expressing the opinion that they would not amount to much, and that no great degree of violence was probable. It was not then possible for me to conceive that in a little more than twenty-four hours from that time Mr. Thiers and all the members of his government would be obliged to flee from Paris, and that an insurrectionary committee of the national guard would, at the moment I am writing, be complete masters of the city. Yet such is the fact. The attempt of the government to dislodge the insurgents at Montmartre, and to get possession of the cannon there, installed before daybreak yesterday morning, proved a complete failure, the troops of the line fraternizing with the national guard and refusing to fire upon them. All was lost from that moment, though the government did not appear to realize it, and various feeble demonstrations were made during the day to vindicate the public authority. All day long, whenever the troops of the line and the national guard came within reach of each other, they reversed their muskets in token of peace. Without knowing the full gravity of the situation, I started about noon yesterday to

make a trip into the country. On my return at six o'clock in the evening, by the way of the Bastile, I found the circulation for carriages interdicted on the principal streets. Being turned into the by-streets, I soon found my way impeded by barricades which had been improvised, and everywhere the insurrectionary national guard. After making various turns, however, I was enabled to get through the obstructed quarter. While I saw so many evidences of great public commotion, I had no idea how serious matters were until this morning, when, in coming down to my legation, I found the city full of the most fearful rumors. I at once went to the Foreign Office, and found that Mr. Jules Favre and the whole government had left for Versailles at half past nine o'clock last night. Leaving the Foreign Office and going to the boulevards, the intelligence of the shooting of Generals Clement Thomas, and Lecompt, by the insurgent troops yesterday, was confirmed, and, as I am now dictating this dispatch, Count Sartiges has come into the legation to say that General Vinoy was also shot this morning. I am not sure but the same fate awaits Chanzy, for three men have just been here to claim my protection for a young American, who is his aid, and who was arrested with him yesterday, and both of whom are now held in close custody by the insurgent troops. The ministry of the interior and the ministry of justice, as well as the prefecture of police and the Hotel de Ville, are occupied by the insurgents. The central committee of the insurrectionary national guard has issued a proclamation, which is placarded on the walls this afternoon, stating that they have taken the power of the government, driven out the members thereof who betrayed it; that their mission so far is ended, and they call upon the people of Paris to elect a government to-morrow. The regular government of France, constituted by the will of the people, as expressed through the National Assembly at Bordeaux, having been driven from Paris by the insurrectionary movement, and established itself at Versailles, I deem it my duty to follow that government, and shall, therefore, on to-morrow or the next day, remove thither with the legation, leaving one of the secretaries in charge here. Every member of the diplomatic corps will also leave. If the seat of government shall remain at Versailles, which is now very doubtful, my removal will be more nominal than real, for while I shall have my official residence at Versailles, I shall come into Paris every day.

I have, &c.,

E. B. WASHBURNE.

No. 181.

[By cable.]

MARCH 20, 1871.

FISH,

Secretary of State, Washington:

The following just received by messenger from Washburne for you:

PARIS, *March* 19.

National guard committee master of Paris; departments of interior and justice, prefecture of police, Hotel de Ville occupied by insurgents; Generals Vinoy, Thomas, and Lecompt murdered by troops; election for commune to-morrow. All members Thiers's government gone to Versailles; I follow with whole diplomatic corps.

WASHBURNE

MORAN,

London.

Received at 2.20 p. m., March 21, 1871.

No. 182.

Mr. Fish to Mr. Washburne.

o. 249.] DEPARTMENT OF STATE,
Washington, March 21, 1871.

SIR: Your government has sympathized deeply with you in the trials ıd privations and annoyances to which you were subjected during the ng-continued siege of the capital to which you were officially accredited, ıd where a high sense of duty, which is appreciated and commended, ıduced you to remain in the efficient and heroic discharge of the most ıficult and delicate responsibilities that fall within the province of ıplomatic service.

The President recognizes that your continuance within the besieged ıpital after the discretionary permission given you in my dispatch No. 26, of the 24th January last, has been from the promptings of your wn conviction that the interests committed to you required the very reat sacrifice of comfort; of the separation from your family; isolation om the intercourse of friends, personal discomforts, and risk of health ıd life. This sacrifice and these trials you have endured, and I desire ficially to record the high appreciation and warm approval of your overnment. You have done your duty faithfully and ably, and the resident tenders you his thanks for the manner in which you have ischarged the delicate duties devolving upon you, and have, on all ccasions, maintained the dignity of your position and the rights of our government.

An acknowledgment is also due to Mr. Hoffman, the secretary of your gation, for his faithful and able service during this long period of trial. ou will please express to him the sense of the Department of his conuct.

Herewith you will receive a printed copy of an act of Congress aproved March 3, 1871, by the 5th and 6th clauses of which appropriations re made to meet increased expenses incurred by the legation at Paris among others) caused by a state of war, and for extra compensation to ne secretaries and messengers of the legation, in conformity with the ecommendations made in your dispatches on the subject.

I will thank you to prepare and forward to the Department a statenent of expenses that may be fairly charged against these appropriations, be presented in the form of a special account.

I am, &c.,

HAMILTON FISH.

No. 183.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, March 22, 1871.

SIR: I have the honor to acknowledge the receipt of your three sevral telegraphic dispatches. Two of them are answered by the letter of Mr. Jules Favre, a copy of which you will find inclosed herewith.*

In regard to the third, in relation to furnishing the necessary means o Germans desirous of quitting Paris, I have to state that I now fur-

* See No. 179.

nish a sufficient sum to all who wish to leave, and many have already gone. The present extraordinary state of things here creates very great embarrassment in regard to your people now in Paris. For fear of violence, the proprietors are beginning to drive them out of their houses under orders of the national guard. Having no longer homes in Paris, and in the midst of a hostile population, I am sending them out of the city to Patin as fast as possible, and from there I hope they will reach your lines. I have no doubt your military authorities will have received full orders to give every protection and assistance to such of your countrymen as may reach them from here.

While I propose to take up my official residence at Versailles, it will be necessary for me to come to Paris every day to look after the interest of my own countrymen, as well as to protect as far as possible the subjects of the North German Confederation. I beg to assure your excellency nothing will be left undone by me to afford every possible protection, aid, and assistance to your countrymen. So far there has been less actual violence than I had feared, but in these exceptional circumstances no one can tell what will happen from hour to hour, yet I hope for a peaceful solution, but am not certain as to anything.

I have the honor to be, &c., &c.

E. B. WASHBURNE.

His Excellency Count DE BISMARCK,
Chancellor, &c.

No. 184.

Mr. Washburne to Mr. Fish.

No. 395.] LEGATION OF THE UNITED STATES.
Paris, March 23, 1871. (Received April 6.)

SIR: I addressed you a somewhat hurried dispatch, No. 394, on Sunday afternoon last, which was forwarded to Mr. Moran, at London, to be transmitted to you by open mail. The intelligence which I sent to you by telegraph of the shooting of General Vinoy was incorrect, though I had the most positive assurance that it was true. The next day (20th) Paris was very quiet, and no very great number of national guards were to be seen in the most frequented part of the city, many people hoping that the worst was over, and that there would be a solution of the difficulties in some unforeseen manner. I went out to Versailles on that day to see what was the situation there. The National Assembly had met on that day, and nearly all the deputies were present. Very little was accomplished. I was unable to see Mr. Jules Favre, and I returned to Paris in the evening. There were large numbers of the troops of the line (estimated at forty thousand) in and about Versailles, but great doubts were expressed whether they would prove true to the government in the event of a collision with the insurrectionary national guard. On Monday evening some fifty Americans gave a public dinner in honor of Lieutenant-General Sheridan at the Hotel Splendide, and everything in that central portion of the city was profoundly tranquil that night. On Tuesday there was a sort of dead, fearful calm in the city, and a feeling of great uneasiness. In the afternoon there was a considerable demonstration made by persons calling themselves friends of order, men of property and character, who went entirely unarmed. The effect of

his demonstration was to inspire some confidence among the friends of order and to exasperate the insurgents. It was determined to repeat the demonstration, and yesterday a shocking occurrence took place, which has created the intensest excitement in the city. An interesting account of the affair is given by Mr. Moore, the assistant secretary of legation, who was eye-witness, and which I send herewith. In his letter to me Mr. Moore does not allude to the killing of an American citizen. On the dead body of this man there was found a passport issued by Mr. Seward to George S. Hanna, but he had cards upon his person bearing the name of George H. Teniel, and I learn he is a young man from Saint Louis, who had been in the service of the franc-tireurs during the war here. I ascertained that he had been at our legation in company with young Mr. Chouteau, of Saint Louis, and I went to the banking-house of Bowles Bros. & Co. this afternoon to look at the corpse, but I could not recognize it as any person I had ever seen before. General Read took charge of the body, and placed it in the hands of the friends of the deceased in Paris. I again went to Versailles yesterday to make final arrangements for changing my official residence to that place. I procured an apartment for my legation, and shall take up my residence (nominally, at least) to-morrow. The business of the legation here is now very large, keeping us all constantly engaged, and my own presence in the city at this critical period seems almost indispensable. I shall, therefore, come into Paris from Versailles about every day, in the interest of my countrymen and of the Germans, with whose protection I am still charged, and whose situation is becoming more and more precarious. This removal to Versailles will involve quite a large additional expense, in regard to which I would be glad to be advised.

I was down in the city at one o'clock this afternoon, and everything was very quiet. The friends of law and order have been greatly strengthened and the number of the national guards who are loyal to the interests of order is increasing very rapidly. Ten thousand of them are now guarding the Bank of France, and they hold to-day the mayoralty of the second arrondissement.

In my 394, I spoke of an American who was an aid of General Chanzy, and who had been arrested on his arrival in Paris. I took immediate measures to ascertain where he was, in order to have him released. I sent Mr. McKean, my acting private secretary, in search of him on Sunday afternoon last, but he was unable to find out anything about him.

The man, however, turned up at my legation this afternoon while I was engaged in writing this dispatch. His name is J. Schenowsky, and he was late brevet captain in the Fifth United States Cavalry. He resigned his position in the Army to come to fight for France, and here he became the chief of squadron attached to the cavalry division of the 21st army corps, and was placed upon the staff of General Chanzy. Chanzy himself arrived in the train, from Orleans on Saturday night, and was arrested by the national guard and taken to prison. Captain Schenowsky arrived by the next train, at three o'clock on Sunday morning, and on his arrival he and several others, Frenchmen, were arrested and taken off by the same guard. He was kept a close prisoner until one o'clock on Sunday afternoon, when, showing his commission, which bore upon its face that he had formerly been an officer in the United States Army, he was released. Feeling very anxious about his old commander, Chanzy, whom he esteems highly as a brave soldier and whose misfortune he considers attributable solely to the character of his troops, on Monday last he attempted to visit him, and even after receiving an authority for that purpose he was arrested again by the national guard

and taken to the prefecture, where he was kept in "durance vile" for some six or seven hours and then again released. Another man, a Frenchman, who was long in our service during the rebellion, Mr. Ulric de Fionville, who, I believe, was in the engineer service of General Warren's corps in the Army of the Potomac, and who has been serving France since the war, was also arrested by the national guard, but I learn that he has escaped and that he has been condemned to death for "contumacy."

Mr. McKean has given me a very interesting account of his searches for Captain Schenowsky, which brings vividly to mind the scenes of the first revolution. He says that in company with two French gentlemen he went first to the prison where Chanzy had been incarcerated, in the avenue d'Italie. It was in one of the most wretched quarters of Montrouge. The streets of the neighborhood were all barricaded, furnished with cannon, and full of drunken and ferocious-looking men. Having entered the prison and stated the object of their visit, two captains of the troops stationed there got into a most violent dispute as to which of them were in authority. The one who had actual possession of the key was beastly drunk, but he finally surrendered it to the other, and they were admitted into the prison. They found there only one man, a Mr. Edmond Turquet, a member of the National Assembly from the department of the Aisne, a young and gallant-looking man, who had fought with brilliant courage under Chanzy, and received three several wounds. He was on his way to the meeting of the assembly at Versailles, and was arrested at the same time as General Chanzy. Captain Schenowsky had not been there, but Chanzy had, and had been removed to the prison de la Santé. Here they learned that on his way to this last prison Chanzy had been fallen upon by the mob, kicked, cuffed, and beaten with canes and sticks, and threatened with instant death. In making further searches for Captain Schenowsky, they went to the prefecture of police, between eight and nine o'clock at night. All the usual entrances were barred, and access to the building was obtained by a small side door, which led into the basement. There they were ushered into a little, dark, dismal room, for the purpose of obtaining permission to see the prefect. Here a most extraordinary spectacle was presented. The room was densely packed with soldiers of the most sinister look. A court-martial was being held. Three desperate and savage-looking men, in the uniform of officers of the national guard, were sitting at a small table in one corner of the room, which was lighted by a diminutive oil lamp that stood upon the table. Before this terrible tribunal was arraigned a respectable-appearing young man in citizen dress. As they entered, the tribunal was upon the point of pronouncing judgment, but in the confusion it was impossible to hear what it was. From the vehement protestations of the young man and the intense agony in which he appeared to be, they had but little doubt that his sentence was death. He was immediately taken in charge by four soldiers and hustled out of the room, probably to be shot. Finding themselves in such a crowd, they did not dare to make any inquiries in reference to what the sentence really was. Mr. McKean went to the prefecture the next day in further search of Captain Schenowsky, and while there three respectable men were brought in charged with wearing a badge of blue ribbon. They were immediately sent down to this self-constituted revolutionary tribunal in the cellar, to undergo a mock trial, and very likely to be condemned and shot. It is only by visits like these that the world will ever get an inkling of the terrible atrocities which have been committed during this new reign of terror.

You will have seen by the telegraphic dispatches, and by the newspapers I send you, the proceedings of the National Assembly at Versailles. Never did a heavier weight rest upon the shoulders of any deliberative assembly than weighs upon the body at Versailles at this time, and it remains to be seen whether it can save France. The whole aspect now is such as to inspire every man in France with terror. The state of things in Paris to-day is without a parallel in its history. Since Saturday evening last there has been not even the shadow of a government in this city of two millions of people. There is nothing but a direction, whose behests are enforced by the power of the insurgent national guard. How far this thing will go, and how it is to end, it is useless for me to predict, for you will know by telegraph of results as they occur, long before this reaches you, and I fear that which I am writing will be old news and of little interest.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.]

Mr. Moore to Mr. Washburne.

LEGATION OF THE UNITED STATES,
Paris, March 22, 1871.

SIR: Following your instructions, I have the honor to submit a report of what I personally saw at the collision which took place this afternoon in the rue de la Paix, between a body of insurgent national guards and a large crowd of persons belonging to the law-and-order party of this city.

At half past one o'clock, as I turned the corner of the rue Neuve des Capucines entering the rue de la Paix, I saw a large body of men, composed about equally of persons in the uniform of the national guard and civilians, coming into the last-named street, at its junction with the Place de l'Opéra. The crowd appeared to be led by a few under-officers of the national guard and about twenty or thirty armed soldiers. Whether the latter belonged to the insurgents, and were being driven before the crowd, I was unable at the moment to determine, but it is now understood that they formed a part of the law-and-order party. The civilians and unarmed soldiers carried ordinary walking-sticks in most instances. Fearing the consequences of remaining in the crowd, I entered a jeweler's shop, No. 10 rue de la Paix, from which I could see all that transpired in that thoroughfare between the rue Neuve des Capucines and rue Neuve des Petites Champs, but was unable to look into the Place Vendôme, where a considerable body of the insurgent national guard was posted. Across the rue de la Paix a line of the insurgents was drawn at the junction of the rue Neuve des Capucines, and two cannon were stationed immediately in their rear. As I entered the jeweler's store the crowd pressed by, making loud cries of "Arm, arm yourselves!" and "Vive la république!" the soldiers loading their guns and the others brandishing their canes high in the air, as they surged on toward the Place Vendôme. In a moment more the crowd seemed to come to a stand, when I went through a rear door of the store and entered the court-yard of the premises. Finding the door of the main entrance to the rue de la Paix partly open, I went to it, and discovered on the sidewalk General Chetlain, the American consul at Brussels, among the crowd. I beckoned him in, as another forward movement of the law-and-order party had then commenced, and returned to the jeweler's store. The crowd pressed on more furiously than before, filling the air with cries of "Vive la république!" "Vive l'ordre!" and "Arm, arm yourselves!" In about two minutes a single gun was fired, and in a moment more a general firing of small-arms commenced, which continued about ten minutes. The firing was very irregular, and did not appear to be by platoon. The cannon were not fired. Looking from the store in which I was, I saw seven men fall to the pavement, two of whom were killed instantly. A person in citizen's dress who attempted to succor a wounded man was shot down and killed. About two minutes after the general fusilade had ceased a single shot was fired immediately in front of my position. General Chetlain tells me that this shot was fired at a man already wounded, and who was crawling up on the sidewalk. As soon as quiet had somewhat returned I again went into the court-yard and ascended to the first story of the apartment, from which I could look up and down the rue de la Paix its entire length. In the window of the parlor of Lieutenant-General Sheridan, at the Westminster Hotel, immediately opposite, I discovered General Mer-

ritt and Mr. Paul S. Forbes, who must, from their position, have been able to see all that was going on. Immediately after I saw General Chetlain safe and inside the court-yard into which I had called him at the moment of the second advance of the crowd, and he joined myself and a friend. We remained in the first story of the apartment about fifteen minutes, during which time we saw the dead bodies of two men lying on the opposite sidewalk. Both of these bodies were carried inside the insurgent lines at the Place Vendôme. General Chetlain informed me that a young man who was standing in the rue de la Paix, a few feet from him, was shot through the arm and had his wound dressed in the rear court-yard of the building in which we had taken refuge. Comparative order having been restored, General Chetlain, my friend and myself left the house and soon gained the boulevards, from which place we experienced no difficulty in returning home. As we passed No. 12 rue de la Paix, we saw the body of a dead old man, whose head had been terribly mutilated by a shot, and who had evidently been shot down on the edge of the sidewalk, for the marks of his crawling to the place where he died gave sufficient proof of that fact.

I have, &c.,

FRANK MOORE.
Assistant Secretary of Legation.

No. 185.

Mr. Washburne to Mr. Fish.

No. 396.] LEGATION OF THE UNITED STATES,
Versailles, March 24, 1871. (Received April 6.)

SIR: I have the honor to inform you that I have this day taken up my official residence near the Government of France at this place, and that I have established the legation of the United States at No. 7 rue de Mademoiselle. I left Paris by railroad from the Havre depot at half after twelve. That depot was held by the troops of order, but when we got out a little way, at Battignolles, we were arrested by the insurrectionary national guard, who detained the train an hour and a half to look for soldiers, suspected persons, and to examine all baggage. On arriving at the depot here all the passengers were required to show their passes and to give up any revolutionary papers, particularly the bogus official journal, which they might have. The election for the commune, first fixed for Wednesday last, then postponed till yesterday, when no attempt was made to hold it, is now fixed for next Sunday, the 26th instant. I could not see much improvement in Paris before I left to-day. General Cluseret is said to occupy the position of secretary of war. The order is published that the "reactionary" editors, as they are called, that is, the editors of all the respectable journals in Paris, are to be sent for trial to the "committee central"; in other words, to a military tribunal. The names of many of these editors were already in the lists of proscriptions, and they write with their throats literally under the knife of assassins.

I send a messenger back to Paris to-night to have this dispatch go out by the bag which leaves for London this evening.

I have, &c.,

E. B. WASHBURNE.

No. 186.

Mr. Washburne to Mr. Fish.

No. 397.] LEGATION OF THE UNITED STATES,
Versailles, March 25, 1871. (Received April 12.

SIR: In the terrible situation of Paris and indeed of France, I supposed I should find the attention of the government and of the National Assembly here completely engrossed with the consideration of measures

tending to vindicate the national authority in Paris, and rescue the city from the hands of the insurrectionists, but I am disappointed. Everything seems paralyzed. On going into the National Assembly last night, I found a discussion of certain commercial questions going on. At the opening of the sitting at half past two o'clock to-day, when it was supposed that important measures connected with the state of things in Paris would be brought up, there was a long and tedious discussion opened in regard to the removal of certain magistrates by *Crémieux*, when he was acting in behalf of the government of the national defence. No effective steps have been taken here to put down the insurrectionary movement, which is gaining strength every day by the delay. All the members of the diplomatic corps, and all other persons with whom I have conversed here, take the most gloomy view of the situation, and no one presumes to speculate as to results. The Republican members complain that the assembly is ultra-reactionary and that it will yield nothing to liberal ideas so that a common ground can be found in opposition to the insurrectionary movement and upon which all can stand. They say that they have no sympathy with Paris, and are not only indisposed to yield anything, or, on the other hand to take any vigorous steps to enforce the authority of the state and to restore order in Paris.

To my mind the appearance of things to-day is more discouraging than ever. The insurrectionists in Paris are gaining power and strength every hour, and the party of order, in finding itself unsupported from Versailles, must be giving way. Indeed, as I write it is currently reported that nearly all the mayors have given in and will join with the *comité central* of the national guard to hold an election for a commune to-morrow. Should this happen and an election be held, the presence of complications will be added to, and the city government of Paris will become an organized power in opposition to the Government of France.

It would be difficult to convey to you an adequate idea of the condition of things existing in Paris. In some portions of the city all is quiet and orderly; but in other parts we see nothing but "grim-visaged war," barricades, regiments marching and countermarching, the beating of the rappel, the mounting guard, the display of cannon and mitrailleuses, and the interdiction of circulation in the streets. Then there are the numerous arrests, the mock-trials, and the executions. As illustrative of the extraordinary state of affairs here, you would only have to see with what sanguinary *naïveté* a military report is made on the 21st instant by the general commanding the national guard of Montmartre, a man by the name of Garnier, who was formerly a dealer in cooking utensils. He says, in the first place, that there is nothing new; night calm and without incident." He then goes on to say that at five minutes after ten o'clock two *sergents de ville* were brought in by the *franc-tireurs* and immediately shot. He continues, "At twenty minutes after midnight, a guardian of the peace, accused of having fired a revolver, is shot." He closes his report of that calm night "without incident" by saying that a gendarme, brought in by the guards of the twenty-eighth battallion, at seven o'clock, is shot. Thus it will be seen that in one night, in only one of the arrondissements, which is described as being "calm and without incident," four officers of the law are deliberately murdered.

I alluded in my No. 396 to the action of the *comité central* in regard to the press of Paris. I did not refer to the fact that early in the week the establishments of two journals of large circulation—the Gaulois and the Figaro—were seized and held by the insurgent guard. The

Journal Officiel of the insurrection on Thursday last contained the following ominous notice:

The reactionary press has recourse to falsehood and calumny to discourage the patriots who have achieved a triumph for the rights of the people.

We do not wish to interfere with the liberty of the press, only, the government of Versailles, having suspended the ordinary course of the tribunals, we warn the writers of bad faith, to whom the common law against outrage and calumny would in ordinary times be applied, that they will immediately be deferred to the central committee of the national guard.

Of course every one understands what that publication means. It is a menace against all the editors in Paris who call in question the acts and usurpations of the insurgents, and it signifies that they may be sent to a military tribunal.

As a pretext to seize, imprison, and execute any and all persons who may be denounced, the Journal Officiel of the insurgents of yesterday morning published the following:

Numerous Bonapartist agents and Orleanists have been surprised making distributions of silver for the purpose of turning the inhabitants from their civic duties. Every individual convicted of corruption or attempt at corruption will be immediately deferred to the central committee of the national guard.

Here is another notice in the same paper of yesterday:

DEATH TO ROBBERS.—Every person caught in the act of robbery will be immediately shot.

Requisitions have commenced in Paris. Many shopkeepers now hesitate to lay in supplies, and all manifest the intention of defending their property. Subjoined is a specimen of one of the orders issued by the committee of the Hotel de Ville:

LIBERTY, EQUALITY, FRATERNITY.—IN THE NAME OF THE REPUBLIC—REQUISITIONS, MONEY, PROVISIONS.

In case of refusal citizen X, charged with the commission, may get himself assisted by the national guards of the quarter.

(Signed) ——— ———,
Member of the Federation.

There are two stamps on this paper, one with the words "*République française*," and the other "*Fédération républicaine.*"

Everybody inquires what next? The disorganization of Paris is complete. There is no power to be appealed to for protection of life, liberty, or property. Anarchy, assassination, and massacre hold high carnival. There are already heard the fearful whispers of a "law of the suspect," of the dressing of lists of proscriptions, and domiciliary visits. I would fain hope that things may not reach that extremity which most intelligent persons predict, and that before this despatch reaches you you may have telegraphic intelligence of a comparative restoration of peace and order.

I have, &c.,

E. B. WASHBURNE.

No. 187.

Mr. Washburne to Mr. Fish.

No. 398.] LEGATION OF THE UNITED STATES,
Versailles, March 27, 1871. (Received April 12.)

SIR: The election for the commune which took place in Paris yesterday was a perfect farce. It was ordered by the *comité central* without the shadow of authority, and the acquiescence in it at the eleventh hour by nearly all the mayors, and some ten members of the National

Assembly representing Paris, gave it no legality. Yet if the people had generally voted there would have been a certain moral force in the result. But that was not the case. There are some five hundred and fifty thousand voters in the city. On yesterday there were not more than one hundred and eighty thousand votes cast. It is estimated that sixty thousand of these votes were given by men not in sympathy with the commune movement, leaving, therefore, the central committee at the Hotel de Ville only backed by a little more than one-fifth of the whole number of votes. Notwithstanding all this, the insurgents will claim an advantage from the election, and assume that they have been indorsed by the people of Paris. The election will bring no change for the better, but, on the other hand, the situation will become more threatening. It is now the insurgents of Paris who are endeavoring to associate with themselves the insurgents in the other cities against the government of France. A dissolution of the present assembly is to be pronounced and a decree of accusation against its members, when the "order of revenge is to strike without pity."

There seems to be little doing here. The assembly had to-day a very short session. Mr. Thiers made a speech, appealing to the members to be patient and to be silent. He denied in the most emphatic terms that the government intended to overthrow the republic. He said, "We have formed the republic and we will here serve the republic." Further, he said: "Our mission is to reorganize the country, to bring back peace, activity, labor, and prosperity, if it be possible, and then to leave to France entire liberty as to the choice of its destinies."

The government here evidently does not feel strong enough to cope with the Paris insurgents, and is waiting to get up other and more reliable troops.

Mr. Thiers told a gentlemen to-day it would probably be *two weeks* before they would be ready. In the mean time you may well ask what is to become of Paris? Domiciliary visits have already commenced. The Père Duchêne, one of the worst of the Jacobin journals, and the favored organ of the government of the Hotel de Ville, demands the inauguration of the "policy of suspicion" and a "committee of public safety." The *red flag* has replaced the tri-color at the Hotel de Ville, the palace of justice, and the tribunal of commerce. Chanzy has been released, and is now here. He made his way on foot out from Paris. Henri de l'Espée, appointed prefect of the Loire on the 20th instant, has just been assassinated at the Hotel de Ville of St. Etienne. The spirit of insurrection and revolution is spreading over all France, and who knows that while the Versailles government is wasting its days in a "masterly inactivity," the insurrectionists, by their activity and audacity, will not gather power enough to completely defy it, if not overthrow it. I shall return to Paris to-morrow, and come out here again Thursday?

I have, &c.,

E. B. WASHBURNE.

No. 188.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, March 29, 1871.

SIR: I have been able in the last few days to get away one hundred and ninety-eight families out of the one thousand and upward heads of

German families finding themselves here at the raising of the siege, and I am now sending off from fifty to seventy every day. Yet there will be many who will be unable to get away, as they are in debt, and not only their persons, but their movables, are detained. The people who are compelled to remain here are without work and are entirely dependent upon me. Those who go can take nothing but their hand baggage, and most of them are glad to get away even with lives. I send them from Paris to Frouard, a station this side of Nancy, which is in possession of your troops. The fare I pay for each person is twenty-one francs and twenty-five centimes (francs 21.25), and I give about five francs additional for their expenses on the way.

The Germans now remaining here are subject to more or less violence from the national guard and from the people. Many are arrested and thrust into prison. God only knows what becomes of them; whenever I can hear of the detention of such I take measures to have them liberated. But it is impossible to say how much longer I shall be able to accomplish anything. As we are now paying out so much money, the fund which has been placed to my credit is very nearly exhausted, and if I am to continue to furnish means as usual, it will be necessary for me to have an additional credit.

I take the present occasion, &c.,

E. B. WASHBURNE.

His excellency Count DE BISMARCK.

No. 189.

Mr. Washburne to Mr. von Thile.

LEGATION OF THE UNITED STATES,
Versailles, March 30, 1871.

SIR: I have the honor to acknowledge the receipt of your letter of the 26th instant, in reference to one Jean Grüband, botanist, who desired to receive assistance to leave Paris. I am informed that this person disposed of his property and left Paris about six weeks ago.

I have also the honor to acknowledge the receipt of your excellency's letter of the 27th instant, in reference to the arrest and imprisonment of a North German sailor at Marseilles.

I have communicated a copy of your excellency's letter to Mr. Jules Favre.

I have further to acknowledge the receipt of your excellency's letters of the 20th, 23d, and 24th March, inclosing judiciary acts to be served upon certain parties in France. These have been transmitted to Mr. Jules Favre, with copies of your excellency's letters.

I take this opportunity, &c.,

E. B. WASHBURNE.

His excellency Mr. VON THILE, &c., &c., &c.

No. 190.

Mr. Washburne to Mr. Fish.

No. 399.] LEGATION OF THE UNITED STATES,
Versailles, March 30, 1871. (Received April 1[illegible]

SIR: I have the honor to inform the department that, on the 17th instant, I notified Mr. Jules Favre that the citizens of Boston had sent

large quantity of provisions to France for the benefit of those who ad suffered by the war, and that the Government of the United States ad placed a national vessel at the disposition of the donors to carry those rovisions to Havre. To-day I am in receipt of a letter from Mr. Favre, translation of which I have the honor to forward herewith, conveying ne thanks of the French Government to that of the United States nd to the city of Boston. I beg that you will transmit a copy of Mr. 'avre's letter to the committee of the donors in that city.

I am, &c.,

E. B. WASHBURNE.

[Inclosure.—Translation.]

Mr. Favre to Mr. Washburne.

VERSAILLES, *March* 29, 1871.

SIR: You did me the honor to inform me, by your letter of the 17th of this month, that a subscription had been opened in Boston with the object of sending provisions to those French families which have suffered most during the war, and you add that the Government of the United States has placed at the disposition of the donors the United States frigate Worcester, which should already have sailed for Havre with the cargo.

I hasten, sir, to address to you the thanks of the French Government for the kindness of the Cabinet of Washington, and I beg you to transmit to the city of Boston the expression of our gratitude for the generosity it has shown toward our people who have suffered from the war.

In conformity with the wish which you have expressed to me, the proper authorities at Havre have been requested to grant to the Worcester all desirable facilities for discharging her cargo, as well as immunity from all port and custom-house charges.

JULES FAVRE.

No. 191.

Mr. Washburne to Mr. Fish.

No. 403.] LEGATION OF THE UNITED STATES,
Paris, March 30, 1871. (Received April 14.)

SIR: Events are marching apace. The election of members of the commune was proclaimed with great ceremony at the Hotel de Ville on Tuesday afternoon last. It was a great popular demonstration. All the national guards were invited to be present. At about four o'clock they commenced to arrive from every direction, drums beating and flags flying. Upon a platform in front of the hotel there was placed a large square table, which was surrounded by some members of the *comité central* in citizens' dress, and many officers of the national guard, all distinguished by a red scarf. The proceedings are opened by a display of flags, by repeated salvos of artillery, followed by great applause and cries of "Vive la commune!" "Vive la république!" &c. The Place de l'Hotel de Ville is densely packed with the national guard. At a given moment the soldiers place their caps upon the point of the bayonet and raise their muskets in the air. M. Ranvier, the president of the central committee, read to the multitude the list of members elected to the commune. Two other members of the committee then stepped forward and made brief speeches, which were received with loud cries of "Vive la commune!" The military bands placed at the foot of the balcony then struck up the *Marseillaise*, the *Chant du Depart*, and the *Gèrondins*, the entire assemblage joining in the chorus. The ceremony of the

proclamation of the Commune having been finished, all the battalions which had been massed upon the place of the hotel defiled before the balcony to the cry of "Vive la commune!" The scene was extraordinary. More than one hundred thousand persons were present at the ceremony. All the windows of the neighboring houses were well filled with spectators, the barricades were covered with people, and the gamins perched themselves in all the trees of the avenue Victoria.

The Commune having thus been proclaimed, it met for the first time on Tuesday evening in the hall of the municipality of the Hotel de Ville. In contempt of all that has been insisted on by all liberal people, and by all journals of every shade of opinion, opposed to the régime of the Empire, that the sittings of all representative bodies should be public, or, at least, there should be a full publication of the journal of their proceedings, the meeting of the Commune was in secret, and although there are rumors of great dissensions in the body, no one outside knows what actually took place. The Nouvelle République, which perhaps may be considered a semi-official organ of the commune, intimates: *First.* That the sittings of that body will not be public. *Second.* That there will not be a tribune. *Third.* That there will be no published report of its sittings, but only a daily publication of its decrees. To-day the government of the Commune seems to be fairly installed. There is no longer any "Journal Officiel de la France," but it appears to-day as the "Journal Officiel de la Commune de Paris." This journal makes the official announcement that the central committee has remitted its powers to the Commune of Paris, and that organization issues an address to the inhabitants of the city. It claims, in the first instance, as I had supposed it would, that the vote of the 26th instant sanctioned the revolution of the 18th of March. It denounces the government at Versailles as criminal, and proclaims the work it is about to undertake. Already it has commenced issuing its decrees, the first of which abolishes the conscription, and declares that no military force other than the national guard shall be created or introduced into Paris; and further, that all able-bodied citizens shall be enrolled for service in that body. The second decree exempts tenants from the payment of rent for the last nine months, and, if perchance any rent has been paid during that period, it is to be applied as a credit on future payments. All leases are canceled at the will of the tenants for the period of six months from the date of the decree. Notices to quit are to be extended on demand of the tenant for a period of three months.

The Journal of the Commune this morning contains an announcement of the organization of the commissions of the commune, ten in number, and among them is one of foreign relations, of which the somewhat notorious Delescluze is the chairman. There is also the ominous commission of public safety, and then there are the commissions of justice, of military affairs, of finance, of subsistence, and what is termed the "*Commission Executive.*" Independent of these commissions the Paris journal states that a central subcommittee, composed of twelve persons, has been formed at the Hotel de Ville. It also says that General Cluseret is a member of that committee, and that it will have jurisdiction of all accusations of treason against the republic. The article published in the Journal Officiel, the organ of the central committee, on Tuesday last, recommending all persons to murder the Duke d'Aumale and other princes, merely because they belong to families connected with royalty, did not seem to excite any great degree of horror, as people are beginning to look upon all these incitations to violence and to murder as matters incident to the present state of things here.

The Commune may be said to be complete masters in Paris to-day, as ere is no force to oppose them. The barricades are beginning slowly disappear. The insurgents are getting possession of all the public aces and public institutions. The general post-office of Paris has at st fallen, and a member of the commune has taken possession of the irection of that bureau. The result will probably be that the government at Versailles will not permit mails to come into Paris. I shall not ntrust anything more of importance to the post-office here. I am sorry o say I cannot see any improvement in the situation. Matters must row worse from day to day. A placard has already been put up in the uarter of Montmartre informing the public that certain commissioners ave been named to receive the denunciations of citizens suspected to e in complicity with the government at Versailles. This is probably he commencement of that system of denunciation which will soon fill he prisons of Paris. Mr. McKean was at the prefecture yesterday, and ound an enormous crowd of well-dressed persons there, all of whom vere looking for friends who had been arrested and spirited away.

Colonel Hoffman was at Versailles yesterday, and I shall go out there o morrow.

I have, &c.,

E. B. WASHBURNE.

No. 192.

Mr. Washburne to Mr. Fish.

No. 404.] LEGATION OF THE UNITED STATES,
Paris, March 31, 1871.

SIR: I intended to have left for Versailles quite early this morning, but on coming down town I learned that all the railroad trains in that direction were stopped, and that all the gates of the city were closed. I then sent to the Hotel de Ville to get a pass that would permit me to go out and to come into the city. I have received such a pass and leave immediately, and will probably return to-morrow night. There is nothing of great importance this morning, except that we have no further post-office facilities in Paris. All the employés of the government left last night for Marseilles and carried away everything. All the bureaus in the various parts of the city are closed to-day. A sort of service may be improvised, but it must be so uncertain and irregular as to be of very little value.

I send the bag to London by a Spanish messenger to-night.

I have, &c.,

E. B. WASHBURNE.

No. 193.

Mr. Washburne to Mr. Fish.

No. 407.] LEGATION OF THE UNITED STATES,
Versailles, April 1, 1871. (Received April 17.)

SIR: I came out from Paris yesterday, and can see no change in the situation. The National Assembly is not concerning itself with anything which has relation with the state of things in Paris. Large numbers of troops are coming in, but the government seem to have no

confidence in them, and is apparently awaiting the arrival of those who have been prisoners in Germany, upon whom they think they can rely. Some of the military men are anxious to take the offensive with the troops already in hand. I attended a reception of M. Thiers last night at the prefecture, which is now his official residence. It is a new and beautiful palace which was occupied by King William while he was at Versailles. I found quite a number of gentlemen there, and the conversation between them and the president of the executive powers in regard to the crisis was very earnest. I had but few words with M. Thiers, and found that he differed with me very materially as to the condition of matters in Paris, and he was far more hopeful of a favorable solution of affairs than I supposed any man could be with a full knowledge of passing events. Although the trains on the railroad by the right bank of the river, from Paris to Versailles, were stopped yesterday, and many of the gates of the city were closed, I found the one at the Point du Jour open as I came out in my carriage. I had no occasion to use the pass given me by the Commune. This place is becoming more and more crowded, and people are flocking out from Paris in great numbers. I sleep on a cot in my legation, and consider myself wonderfully well off; but when it comes to the question of getting something to eat, *hic est opus hic labor est.* The scramble in the restaurants would put a western steamboat in the shade in emigration times. After a brisk skirmish of an hour, I succeeded in obtaining a plate of soup, a slice of cold veal, and a piece of bread for my dinner. The worst of it is, one does not know how long this thing is to last; but I know of no other way than to take it as it comes, and to make the best of it.

I have, &c.,

E. B. WASHBURNE.

No. 194.

Mr. Washburne to Mr. Fish.

No. 408.] LEGATION OF THE UNITED STATES,
Paris, April 2, 1871. (Received April 17.)

SIR: I came in from Versailles last night, entering the city by the gate of Point du Jour without any interruption. After leaving my home to come to the legation, at half past ten o'clock this morning, I had not proceeded far when I heard the discharge of cannon, mitrailleuses, and musketry. Soon the reports became more and more distinct, and it was quite evident that fighting was going on in the vicinity of the bridge of Neuilly, about one mile and a half from the legation. A gentleman who has just come in from that vicinity says that it was undoubtedly an engagement between some insurgent troops, who went out of the city last night in the direction of Versailles, and the government forces. He was a good way to the front, and several shells burst near him. Finding themselves opposed, the insurgents beat a hasty retreat, and came into town pell-mell by the gate of Maillot, and, in order to be entirely safe, they drew up the bridge and closed the gate after them. As I am writing this, Antoine, whom I had sent out in search of information, has returned, and he reports the affair much more serious than I had supposed; but in such times of excitement great allowance should be made, and one hardly knows what to believe. He talked with many soldiers, who had run away from the fight, who told him that several thousand

men had left the city last night to march upon Versailles. All acknowledged that they had been badly handled, some attributing their disaster to one cause and some to another. One said they were sent off without ammunition, and that they were therefore unable to return the fire. Others said that they were assured they would meet no opposition from the government troops, but on the contrary would be received with open arms. Instead thereof they were welcomed "with bloody hands to hospitable graves." One thing, however, is quite certain, the insurgents have met with a repulse which may possibly lead to important results. On going to the Champs Elysées at half past twelve I found a regiment of the insurgent national guard had advanced up the avenue and halted near the Arc of Triumph. On the other side of the Arc there was an immense crowd of people and national guards, all looking in the direction where the firing had been going on up to within half an hour. While standing there some emotion was created by a few artillerymen dashing along with a piece of six, and although they were yelling and brandishing their swords they failed to obtain but a feeble acclamation as they passed from the crowd or from the regiment of soldiers. The most distinct recognition was from an enthusiastic little Frenchman at my side, who cried out, "*Vive l'artillerie terrible!*"

4 p. m.—I have just been into the avenue of the Grand Army and found there a dense crowd of excited people, together with some three or four thousand insurgent soldiers and thirty pieces of artillery. They were undoubtedly expecting another attack from the Versailles troops. Twenty prisoners, troops of the line, were marched through the avenue while I was there. Many of the people cried out, "*Vive la ligne!*" but the soldiers made no response nor evinced any disposition to fraternize.

In my 404 I spoke of the suppression of postal facilities in Paris. It may now be said to be complete except so far as the interior of the city is concerned. M. Rampont, the director of the post, succeeded on the night of the 30th in removing his department and everything belonging to it, as well as all the employés, to Versailles. The government of the commune is very furious on the subject, as the interruption of postal facilities and all communication with the department is a great blow to Paris, and is creating much dissatisfaction. The commune is already at loggerheads and the greatest confusion reigns in its councils. Seventeen members have already resigned. I wrote you on Thursday last that the Journal Officiel of the Republic had taken the name of the "Journal Officiel de la Commune." The next day it resumed its former title, without giving any reason for the change either way. I propose to send this dispatch under cover to Mr. Moran, by the messenger of the British embassy to-morrow morning, that it may be forwarded to you by the open mail which leaves London on Tuesday next.

I have, &c.,

E. B. WASHBURNE.

No. 195.

Mr. Fish to Mr. Washburne.

No. 256.] [Extract.]

DEPARTMENT OF STATE,
Washington, April 3, 1871.

SIR: Your No. 389, relating to the protection of American property in Paris during its occupation by the Germans, is received and has been read with interest.

In it you invite my attention to correspondence that had previously taken place between Mr. von Thile and Mr. Bancroft under instructions from this department, which were issued in consequence of suggestions made by you.

It also appears from your letter that notwithstanding the assurances given by Mr. von Thile in this correspondence, German soldiers were actually billeted on Americans during the short occupation of Paris, and that a correspondence had taken place in consequence between Count Bismarck and yourself.

I gather further from your dispatch that the actual disposition of the soldiers was made under the directions of the mayor of Paris, who appears to have endeavored to relieve his own countrymen at the expense of citizens of the United States who have temporarily expatriated themselves, and transferred their property to French protection to the estimated amount of from seven to ten millions of dollars.

It would thus appear that the act of billeting the soldiers on Americans was committed rather by the French authorities than by the Germans; and that before an answer was received to your representations to Count Bismarck the Germans had left Paris. It would also seem that the damage which they committed was trifling, and that no American has made complaint. The department fully approves of the zeal and discretion with which you have watched over the interests of your countrymen in this matter. It is a subject of congratulation that the facts do not call for any further active steps.

* * * * * * *

I am, &c.,

HAMILTON FISH.

No. 196.

Mr. Washburne to Mr. Fish.

No. 410.] LEGATION OF THE UNITED STATES,
Paris, April 4, 1871. (Received April 17.)

SIR: It is impossible to arrive at the truth in regard to the fight which took place on Sunday last between the insurgents and the Versailles troops. It was a singular sight to my family on that Sunday morning to watch from the upper window of my residence the progress of a regular battle under the walls of Paris, and to hear the roar of artillery, the rattling of musketry, and the peculiar sound of the mitrailleuses. The result was undoubtedly very unfavorable to the insurgents, but it did not discourage them, for they commenced immediately rallying their forces for another attack. Late in the afternoon they began their movement, which continued till late into the night, going out of the city in different directions. At half past six o'clock yesterday morning I was awakened by the cannon at Mont Valérien, which had opened on the rear guard of a large column of insurgents that was on its way to Versailles. The firing caused the guard to retreat into the city in indescribable confusion. What has become of that part of the column which passed beyond Mont Valérien is not known, although some of the insurgents say that yesterday afternoon it was marching victoriously on to Versailles. Two other columns of troops are also said to have passed out, and there was quite a serious fight in the vicinity of Chatillon, resulting in the retreat of the insurgents pell-mell. The day of yesterday was one of great excitement in the city. The national guards were roaming around everywhere, singly, in squads, in

mpanies, and in regiments. In the afternoon a body of several hun-
ed women formed at the Place de la Concorde and took up their line
march to Versailles, in poor imitation of those who marched upon the
me place in the time of Louis the Sixteenth. They paraded up the
hamps Elysées and through the avenue Montaigne. A portion of
em passed over the Pont d'Alma, while the others took the route to the
oint du Jour. Many of them wore the "*bonnet rouge*," and all were
nging the Marseillaise. Whenever they met an omnibus they stopped
, caused the passengers to get out, and took possession themselves.
ne old woman, sixty years of age, mounted on the top of an omnibus,
isplayed the red flag, and gave the word of command. How far they
ent and what became of them I do not know. It is very curious to
ead the different accounts which are given of yesterday and Sunday in
he various red journals. Their violence knows no bounds. The insur-
ent official journal publishes a decree of the Commune impeaching
Thiers, Favre, Picard, Simon, and Pothuan, and also seizing and
equestrating their property. Insurrectionary journals are springing
p like gourds in the night, and each tries to surpass the other in revo-
lutionary fervor and violence. If this thing continue it is not unlikely
that all the papers opposed to the Commune will have to go under.
Indeed, the "L'Action," the journal of Lissagaray, of this morning,
openly demands the suspension, "*sans phrase*," of all the journals in
Paris hostile to the Commune. The insurrectionists, who had for one
of their watchwords "a free press," have suppressed by force the
"Figaro" and the "Gaulois," destroyed the issues of the "Constitu-
tionnel," driven out of the city the "L'Électeur Libre," the "Bien
Public," the "Ami de France," and one or two other journals. A
very significant note addressed by the Commune to the director of the
Paris Journal, a paper of a very large circulation, appears this morn-
ing. I will give you the names of some of these new papers that have
made their appearance since the insurrection of the 18th of March: Le
Rappel, L'Action, Le Père Duchêne, Le Vengeur, Le Mot d'Ordre,
L'Affranchi, Le Cri du Peuple, La Révolution, La Montagne, L'Avant
Garde, La Commune, La Sociale.

We have reports of great commotion in the councils of the Commune.
Assi, who was the head man in the *comité central* of the national guard,
and elected a member of the Commune, is now imprisoned at the pre-
fecture of the police. Lullier, another member of the *comité central*,
was arrested by his associates in the committee, and also cast into
prison. He has since escaped, and publishes a letter in which he says
the depot of the prefecture is transformed into a prison of state, where
the most rigorous precautions are taken against all the prisoners. The
official journal of the insurrectionists of yesterday makes the following
announcement: "Citizen Cluseret is appointed delegate to the ministry
of war, conjointly with the Citizen Eudes. He will enter his duties
immediately." As I write this dispatch at 3 o'clock this afternoon, to
send to London to-night by General Starring, everything is quiet in the
town as far as I can learn, yet a good deal of firing is heard in the direc-
tion of Meudon. Colonel Hoffman went to Versailles this morning. I
need hardly add that the greatest uneasiness continues in the city
among all classes of people. Matters cannot long remain in their pres-
ent position. It is impossible for Paris to hold out against all France.
The communal insurrection seems to have been suppressed in all the
cities of France except Paris.

I have, &c.,

E. B. WASHBURNE.

No. 197.

Mr. Washburne to Mr. Fish.

No. 411.] LEGATION OF THE UNITED STATES,
Paris, April 6, 1871. (Received April 20.)

SIR: I have not been to Versailles since Saturday. As I wrote you in my No. 410, Colonel Hoffman went thither on Tuesday last. I intended to have relieved him before this, but I am reluctant to leave Paris in these troublesome and somewhat perilous times. We still have here a large number of Americans, and while I hope that they may not be molested or have their property injured, yet no one knows what may happen from hour to hour. Under such circumstances I deem it my duty to remain in Paris as much as possible, going or sending to Versailles to transact official business with the government there.

In my last dispatch I gave you an account of the military operations up to the date thereof. There has been almost constant fighting ever since outside the walls of the city, and in the direction of Versailles. The results have been uniformly unfavorable to the insurgents, who have lost large numbers in killed and wounded, and a great many prisoners. It seems to be understood that all of their forces are to be brought into the city under the pretext of reorganization. The greatest discouragement exists among the insurrectionary population of the city, and the most desperate things are not only proposed but are being accomplished. The archbishop of Paris, Monseigneur Darboy, was arrested the night before last and carried to prison, while his palace was plundered. One of the employés of the legation has just come from there and verifies the fact. The insurrectionary national guard is still holding possession of his palace. The Abbé Deguerry, the curé of the Madeleine, was also arrested and sent to prison on Tuesday night; his effects were seized, and seals were put upon his papers. Four priests were also arrested during the same night and carried to Mazas. As you may well imagine, the greatest terror prevails among all these people who are now being hunted down. Their fate seems hard indeed. All of them remained here during the siege, suffering unheard of privations of cold and hunger, visiting the sick and wounded, and upholding the courage of the people of Paris. I am not certain as to what has become of the property of the members of the government, seized a few days since by order of the Commune, but a gentleman informs me that the house of M. Thiers has certainly been robbed, and that he saw placed upon its walls "*À vendre.*" I presume it is the same with the houses of all the other members of the government.

There is greater uneasiness in Paris this morning than I have ever witnessed. The most sinister rumors prevailed. The Journal Officiel of the insurrection publishes this morning a most savage decree of six articles. The first decrees that every person accused of complicity with the government of Versailles shall be imprisoned. The second article provides for the institution of a jury to try these parties. The third provides that the jury shall act within forty-eight hours. The fourth, that all those convicted will be held as hostages of the people of Paris. The fifth provides that the execution of any prisoner of war or partisan of the regular government of the Commune of Paris will be immediately followed by the execution of three of the hostages found guilty by the jury. The sixth provides that all prisoners of war shall be brought before the jury, which will decide whether to set them at liberty or to retain them as hostages. I send you herewith, as cut from the official

journal of the insurgents, an address from the Commune to the citizens of Paris, also one of its decrees, a report of General Cluseret, a note of Pascal Grousset, *membre de la Commune, délégué aux relations extérieures*, addressed "to the representatives of the foreign powers;" and further, a letter of General Bergeret to the executive commission of the Commune. Rochefort's paper, the Mot d'Ordre, this morning, takes a very discouraging view of affairs. It says that the disasters which have befallen the insurgents are the results of the incredible folly which presides at all the military operations. He also attacks the Commune with great bitterness for the secret deliberations in the silence of the night, and earnestly demands that the doings of that body shall immediately be made public.

In my last dispatch I said, if the state of things existing continued, it was not unlikely that all the papers opposed to the commune would go under. My prophecy has since become history, for every paper that has been pronounced in its opposition to the Commune has been suppressed, and we now have nothing but the insurrectionary sheets which I mentioned the other day. There should have been added to that list two other journals, La Cloche and Le Châtiment. Many Americans have called at the legation to-day to procure passports, and to seek advice in relation to leaving the city. All the gates of the city are closed, and the railroads leaving the south side of the town are also closed. The Northern, the Orleans, and the Strasbourg roads are, however, open. Their depots are all held by the national guard, and Frenchmen, excepting women and children, are not permitted to depart. Foreigners have no trouble in getting away on showing their passports. I send my dispatch-bag over to London to-night, one day in advance of its usual time.

I have, &c.,

E. B. WASHBURNE.

No. 198.

Mr. Washburne to Mr. Fish.

No. 415.] LEGATION OF THE UNITED STATES,
Paris, April 8, 1871. (Received April 26.)

SIR: I have the honor to acknowledge the receipt of your dispatch No. 249, under date the 21st ultimo. I am very much gratified to know that my official duties have been discharged in a manner satisfactory to the President and yourself. For the very kind and cordial manner in which you have been pleased to express that satisfaction, I beg to tender to you my sincere acknowledgments. The testimonial of approval of the conduct of Colonel Hoffman is well merited; and he desires that I should express to the President, as well as to yourself, his most grateful and profound thanks. I duly received the printed copy of the act of Congress, making an appropriation to meet the increased expenses incurred by the legation at Paris, on account of a state of war between Germany and France. As these expenses still continue, and as I presume you will not desire two accounts to be made, I shall, unless otherwise instructed, defer sending a statement until after I am relieved of the protection of the subjects of North German Confederation, and can furnish you an account which shall embrace the expenses incurred of every kind and description.

I have, &c.,

E. B. WASHBURNE.

No. 199.

Mr. Washburne to Mr. Fish.

No. 416.] LEGATION OF THE UNITED STATES,
Paris, April 9, 1871. (Received April 26.)

SIR: It is one week ago to-day since actual fighting commenced between the Versailles troops and the insurgents. The latter still hold the forts of Vanves and Issy, but they have no men outside the walls, except those who are in these two forts. There has been but little cessation of the fighting during the week. The successes have been invariably on the side of the government troops, and the Commune forces are now strictly on the defensive. On Friday afternoon last the government troops attacked the insurgents at Neuilly and carried the barricade on this side the Pont de Neuilly. From that point and Mont Valérien they have ever since been shelling a battery of the insurgents at Porte Maillot, and a large number of shells have fallen in that part of the city in which the Arc de Triomphe is situated, and in which locality a great many of the apartments are occupied by Americans. One shell fell in the avénue Joséphine, half a square distant from the legation, and several have burst in the rue de Chaillot, between the legation and the Champs Elysées. On going to my house at five o'clock on Friday afternoon last I found that three shells had exploded in the immediate vicinity, one of them striking within fifty feet of my parlor window. Considering it no longer a safe place for my family, I lost no time in removing my wife and children to a less-exposed situation. Coming to the legation this morning, I saw two shells burst at the Arc de Triomphe. I do not know how long this business is to continue, but the communists are evidently expecting an attack, for they have great numbers of soldiers in all the streets running out from the Champs Elysées. It is estimated that the losses of the insurgents in the last week amount to more than seven thousand. There continues to be a great deal of dissatisfaction evinced in regard to the direction of their military affairs. General Bergeret, who commanded the army of Paris, is under arrest. The Commune has adopted a decree suppressing the grade of general, on the ground that such a grade is incompatible with the democratic organization of the national guard. Cluseret now seems to be the main man, and the Journal Officiel of the insurgents of to-day contains three orders signed by him.

Mr. Hoffman returned from Versailles on Friday evening last, where he had been for several days looking after such matters as required attention at the legation there. He found much difficulty in going and returning. I shall probably send him out again to-morrow instead of going myself, as in the present state of things I think it much more important for me to remain here than to be at Versailles.

I have, &c.,

E. B. WASHBURNE.

No. 200.

Mr. Washburne to Count Bismarck.

LEGATION OF THE UNITED STATES,
Paris, April 11, 1871.

SIR: Since I had the honor of addressing your excellency on the 29th ultimo I have sent out of Paris only one hundred and twenty-two

milies. There are yet remaining about eight hundred. It seems al-
ost impossible for them to get away, as all their effects of whatever
ature and description are held for their rent or are at the pawnbroker's,
nd even if they possessed anything which they could carry away with
em, the railroad authorities of the Strasbourg line refuse to take any
aggage whatever.

I am paying out small sums of money to those who remain, and shall
ontinue to do so until there is a change in affairs, or until I receive
om you instruction to the contrary.

The authorities of the commune refuse to permit any persons to leave
aris without a *laissez-passer*. This regulation is for the purpose of re-
aining all Frenchmen in the city to fight against the government at
ersailles. As still charged with the protection of your countrymen I
ave given a *laissez-passer* to all who have applied to me, and I believe
at such passes have been respected by the national guards in all cases,
r I can hear of no German holding one who has been refused permis-
on to go out. The hostility to the Germans of which I spoke in my
tter of the 29th instant, seems to have abated somewhat, and I have
eard in no instance of violence since that date. It is impossible for
e to know of the detention of Germans in prison, but every application
have made for the release of those whom I have known to be in prison
as been promptly granted.

While my official residence is at Versailles, I deem it my duty to re-
ain in Paris most of the time, as I do not know what may happen
om day to day, and it is impossible to tell how much the interest of
y countrymen and the subjects of the North German Confederation
ight be compromised by my absence.

As I am aware of so little in regard to the operations of the govern-
ent at Versailles or of what it is intending to do, it is impossible to
rrive at any definite opinion as to the length of time this extraordinary
tate of things in Paris is to last. Every day's delay apparently ren-
ers the suppression of the insurrection more difficult. The appear-
nces are that a desperate defense is to be made inside the walls. New
arricades are being put up in various portions of the city. Everything
s too uncertain, however, to justify speculation as to future events in
'aris, though I confess I see but little light in the gloom that is set-
ling around us.

The government troops around Versailles are now bombarding the
ity in the vicinity of the Arc de Triomphe, and shells have fallen so
hickly around my residence that I have been obliged to remove my
amily to another part of the city. Several shells have exploded in the
ue de Chaillot, near my legation.

I take this opportunity to renew to your excellency the assurance of
ny most distinguished consideration.

E. B. WASHBURNE.

His Excellency Count DE BISMARCK,
&c., &c., &c.

No. 201.

Mr. Washburne to Mr. Fish.

No. 417.] LEGATION OF THE UNITED STATES,
Versailles, April 13, 1871. (Received April 27.)

SIR: I regret to say that I can see nothing very encouraging in the present situation here. To be sure they are getting in a good many

troops, and the morale of the Versailles army has greatly increased since the fighting began, but yet they do not seem to be ready to attack. Marshal MacMahon has taken command of the whole army. Large preparations are being made, and it certainly cannot be a long time before active operations will be commenced. It is my opinion that the insurgents are gaining strength every day. It is currently reported here to-day that the government troops were worsted yesterday at Neuilly. I fear it will be a long time and a bloody time before these terrible troubles in Paris are ended.

I have, &c.,

E. B. WASHBURNE.

No. 202.

Mr. Washburne to Mr. Fish.

No. 418.] LEGATION OF THE UNITED STATES,
Paris, April 14, 1871. (Received April 27.

SIR: I came in from Versailles late last night after having been there three days. Mr. Hoffman relieved me, and will remain there until I shall go out again. Upon my return here my impression is strengthened that the power of the insurgents is all the while increasing. In my No. 416 I stated it too strongly when I said the insurgents had no men outside the city except those in the forts. They have a large force in the direction of Neuilly and Courbevoie, and, indeed, they claim to have retaken Neuilly from the Versailles troops. Fighting is going on all the time. The city has more and more the appearance of a great camp. New barricades are being built, and cannon are being placed in new positions. The Versailles troops continue the bombardment of our quarter of the city, and the day before yestorday a shell exploded directly over the legation, and, falling, struck the lower portion of the building within twenty feet of where I am now writing. The Americans who are here are becoming more and more alarmed, and the legation is thronged by them from morning to night seeking passports and protection papers for their property. I fear I shall have to send my family away again, as a great many of the French people now consider a siege not improbable, and already the prices of living have advanced very much. It will be four weeks to-morrow since the insurrection broke out, and things have been going from bad to worse all the time. It is estimated that three hundred thousand people have left Paris in the last fortnight. All persons are either concealing or carrying away their capital. The sources of labor are dried up. There is neither trade, commerce, traffic, nor manufacture of any sort. All the gold and silver that has been found in the churches, and all the plate belonging to the government found in the different ministries, has been seized by the Commune to be converted into coin. The Catholic clergy continue to be hunted down. The priests are openly placarded as thieves, and the churches denounced as "haunts, where they have morally assassinated the masses, in dragging France under the heels of the scoundrels Bonaparte, Favre, and Trochu."

A most remarkable decree is just published in the official organ of the commune. It is no less than an order to demolish the world-renowned column Vendôme, in the place Vendôme. It is denounced as a monument of barbarism, and a symbol of brute force and false glory, a permanent insult cast by the victors on the vanquished, and a perpetual

attack on one of the great principles of the French republic: *fraternity*. Hence, the decree to raze it to the ground. A gentleman just in says that the firing from Mont Valerien has completely demolished the insurgent barricades at the Port Maillot, and to-day Mont Valerien is bombarding the Port de Ternes. The Arc de Triomphe has been struck twenty-seven times. The splendid hotel of the Turkish embassy, in the Place d'Etoile, has been very badly damaged by shells from Mont Valerien. The apartment of Mr. Pell, of New York, at No. 12 rue de Presbourg, has also been badly damaged. The building in which Mr. Hoffman has his apartment in avénue d'Eylau has been struck four times.

I have, &c.,

E. B. WASHBURNE.

No. 203.

Mr. von Thile to Mr. Washburne.

[Translation.]

BERLIN, *April* 17, 1871.

SIR: I have seen with pleasure, by your letter of the 29th of the past month, that you continue with your usual kindness to interest yourself in the fate of the Germans living in Paris. Since the receipt of your letter I have had purchased at London four drafts to bearer of the value of 109,000 francs, 50,000 francs, 19,000 francs, and 3,234 francs 90 centimes—total, 181,234 francs and 90 centimes; drawn on banking-houses at Paris, to enable you to furnish to needy German families, who desire to leave Paris, the means of setting out.

These drafts having been sent to the Imperial Governor-General at Soisy, I beg you, sir, to kindly designate directly to Mr. Fabrice the way by which they may be addressed to you more securely.

Receive, sir, on this occasion, the assurance of my high consideration.

VON THILE.

Mr. WASHBURNE, *&c.*, *&c.*, *&c.*

No. 204.

Mr. Washburne to Mr. Fish.

No. 420.] LEGATION OF THE UNITED STATES,
Paris, April 18, 1871. (Received May 4.)

SIR: I have not been to Versailles since I came from there on Thursday last. Even if the state of my health had not prevented, I should have deemed it my duty to have remained here, as there is still a great deal to do in the way of protection to the persons and property of our countrymen as well as the Germans. The alarm among all classes of persons is daily increasing, and nearly every one is leaving, or preparing to leave, as soon as possible. There has been a great deal of difficulty within the last few days in regard to passports, the insurgent authorities having refused to recognize our passports unless issued or viséd on the very day on which it is presented. The applications for passports and for certificates of the ownership of the property of Americans, and which we call "protection papers," have been very numerous in the last

few days. The state of things existing here at this time produces strange results. By a decree of the Commune, all Frenchmen between the ages of nineteen and forty are liable to do military duty, and hence no Frenchman is permitted to go out of the gates of Paris. There are a great many people who belong to Alsace and Lorraine between those ages, and within the last week no less than four hundred and fifty have applied to me for *laissez-passers* as citizens of the Empire of Germany. On exhibiting to me satisfactory evidence that before the war they were citizens of Alsace and that portion of Lorraine incorporated into the German Empire by the late treaty, I have not hesitated to give each one a special *laissez-passer*.

A case has been brought to my attention to-day of a Catholic priest, a native of Alsace, who has been arrested and cast into Mazas along with many of his order. I shall, to-morrow, make an officious application to the Commune for his release as a German subject. Domiciliary visits, arrests, and perquisitions are becoming more and more numerous. All refractory national guards are seized and either cast into prison or put into the front rank in the attack. Two days ago a very respectable man living near the legation was torn from his family, sent to the front, and the next day slain in battle. The invasion of houses is no longer confined to those of official persons, or of persons particularly obnoxious on account of their relations to the empire. Many private residences have already been pillaged, and among them those of the Péreire Brothers, and Charles Lafitte, the bankers. The house adjoining my own residence in the avénue de l'Impératrice was pillaged on Saturday night last, and even the personal effects of the concièrge were carried off. My own house was probably spared the same fate by my personal occupation of it. The invasion and violation of the Belgian legation on Sunday last, by a battalion of the national guards, is a fact of peculiar gravity. While the official organ of the Commune denounces this act, and says that an investigation will be immediately ordered, and the accused parties sent before a council of war, the trouble is that the Commune wields no sufficient authority to punish any outrage or suppress any violence.

There is no knowing what legation will be next invaded. The first indication for confiscation of private property on a magnificent scale appears in a decree of the Commune this morning. It is a practical seizure of the work-shops of Paris, which are to be turned over to the various co-operative working societies. The farce is to be gone through with a jury of arbitration to fix upon the amount of indemnity to be paid to the owners of property. Of course, such owners are not represented on the jury, and have no voice whatever in the matter. The Commune has adopted a measure fraught with very serious consequences to all property-holders in Paris, and of course involving the interests of all Americans who are unfortunate enough to hold property here at this time. It is the levying of a new tax to go into the coffers of the Commune. When the time comes around, if it ever do come, for the collection of this tax, there will be but few if any Americans here to determine for themselves what they will do in the premises. I shall tell all that the tax is without the semblance of legal authority and advise them not to pay it. What will be the result in all this business, if the insurrection shall not be speedily put down, it is impossible to tell. There is no improvement in the situation since the date of my last dispatch. I can as yet see nothing that leads me to believe that the insurrection is to be speedily put down. All the talk that has been made that some arrangement was to be arrived at between M. Thiers and the Commune

mounts to nothing. All the concessions which it was signified would e made to the insurgents have been spit upon. It is one month to-day nce this insurrection broke out, and here we are daily going from bad) worse. Day after day passes and nothing is done. Paris continues) be left at the mercy of the Commune, and now a siege is threatened, hich, considering the actual situation, can only be contemplated with orror. The military situation is not much changed. At Asnières yesrday the insurgents were badly beaten, but with that exception the ghting for the last few days has amounted to but little, although there as been a great deal of powder and ball wasted. Direct communicaon with London by the Northern Railroad is still open, and I hope to e able to forward this dispatch to London to-night.

I have, &c.,

E. B. WASHBURNE.

No. 205.

Mr. Washburne to Prince Bismarck.

LEGATION OF THE UNITED STATES,
Paris, April 20, 1871.

SIR: By a decree of the commune of Paris, all Frenchmen between he ages of nineteen and forty are made liable to do military duty, and ence Frenchmen within those ages are not permitted to pass outside he gates of the city without a special *laissez passer*, issued by the Commune. There are many men in Paris, liable to military duty under that lecree, who belong to Alsace and Lorraine. Within the past few days nore than five hundred persons have come to me to demand my protecion, claiming it on the ground that, since the treaty of peace, they have ecome subjects of the German Empire. As such subjects, they have sked of me *laissez-passers*, to enable them to go out of Paris, and on exhibiting satisfactory evidence that they were, before the war, citizens of Alsace and that portion of Lorraine incorporated into the German Empire by the late treaty, I have not hesitated to give each one a special pass to leave the city and to repair to his country. As yet, I have heard of only one instance where a person holding such a pass from me has been refused permission to go out.

A case has been brought to my attention of a Catholic priest, claiming to have belonged to Alsace, who has been arrested by the authorities of the Commune and cast into the prison of Mazas, along with many others of his order. As soon as I shall receive satisfactory evidence that he is an Alsatian, I propose to make an officious application for his release as a German subject.

I will be glad to know if my actions in these matters meet the approval of your excellency. I should be glad to be advised, further, if the persons or property of German subjects in Paris (I include citizens of Alsace and that portion of Lorraine now a part of the German Empire) shall be threatened and my officious intervention shall not be heeded, whether I shall wait for communication with you or report the case to your military authorities nearest Paris.

On the 29th ultimo I had the honor to address you in relation to the necessity of further funds, if I were to continue to give *secours* to your countrymen now here.

The money which you placed in my hands having been exhausted, and hearing nothing from you, I have to-day sent you a dispatch on the subject, to be forwarded from Versailles.

I have the honor to be, &c.,

E. B. WASHBURNE.

His Excellency PRINCE DE BISMARCK, &c., &c., &c.

No. 206.

Mr. Washburne to Mr. Fish.

[Extract.]

No. 422.] LEGATION OF THE UNITED STATES,
Paris, April 20, 1871. (Received May 4.)

SIR: In the way in which things go on in Paris, I am afraid that in writing about them so frequently I may be in danger of repeating myself. No one could have supposed when this insurrection broke out, on the 18th ultimo, that nearly five weeks would have rolled around without any prospect of its immediate suppression. I am certain that I never believed that it would fall to my lot to live, with my family, in a city of two millions of people in a state of insurrection for such a length of time as the present one has already lasted. I should be too happy if I could advise you that I could see any prospect of a termination of the terrible state of things existing here. Nothing comes to us from Versailles, that can be relied on, to show that effective measures are soon to be taken to expel the insurgents from power and to re-establish the authority of the government in Paris. To be sure, we hear rumors of attack and assault in great and overpowering force, and then other rumors of a siege; but day after day passes away without particular results further than heating still hotter the blood and inflaming still further the existing hatreds and animosities. * * * * * * Men in the Assembly and out of the Assembly are becoming impatient, yet can effect nothing. There is a great deal of fighting going on, always in the same places, that is, in the direction of Asnières, Neuilly, and Courbevoie. The same shelling of the city continues, and beneficial results are always wanting to the attacking forces. So far as we may be able to judge (and this thing has continued for nearly three weeks) but little has been accomplished, for the government troops have not yet reached the walls of the city. An attack in force may, however, take place at any day, of which you may be advised before this dispatch shall reach you.

An election took place here on Sunday last to fill vacancies in the Commune, and although great efforts had been made to induce people to vote, there was a very general and significant abstention. Cluseret was a candidate in one of the arrondissements, and out of 21,360 votes inscribed, he obtained only 1,968 votes; and yet the Commune, in contempt of a law that has always been respected, which declares that no candidate be elected without receiving one-eighth of all the votes inscribed, has declared his election good. The suppression of the journals still continues. The Official Journal of the Commune of yesterday morning announced that the following papers were suppressed: Le Bien Public, La Cloche, Le Soir, L'Avenir National. Two of these papers,

however, have appeared to-day, in spite of the order of suppression, Le Bien Public and L'Avenir National.

It seems useless for me to speak of the condition of Paris at the present moment. Fortune, business, public and private credit, industry, labor, financial enterprise, are all buried in one common grave. It is everywhere devastation, desolation, ruin. The physiognomy of the city becomes more and more sad. All the upper part of the Champs Elysées, and all of that portion of the city surrounding the Arc of Triumph, continue to be deserted, in fear of the shells. In coming from my residence to the legation it seems like a city of the dead; not a carriage, and hardly a human being, in the streets. Immense barricades are still going up at the Place de la Concorde. The great manufactories and workshops are closed. Those vast stores, where are to be found the wonders and marvels of Parisian industry, are no longer open. The cafés now close at ten o'clock in the evening; the gas is extinguished; and Paris, without its brilliantly-lighted cafés, with their thronging multitudes, is Paris no longer.

A dispatch-bag arrived from London this morning, bringing Washington dates to the 7th and New York papers to the 8th instant. As I propose leaving for Versailles to-morrow morning, I shall not have the honor of writing you further to go by the dispatch-bag which leaves for London to-morrow night.

I have, &c.,

E. B. WASHBURNE.

No. 207.

Mr. Washburne to Mr. Fish.

[Extract.]

No. 422.] LEGATION OF THE UNITED STATES,
Paris, April 23, 1871. (Received May 10.)

SIR: * * * * * * *

You are aware that Monseigneur Darboy, the archbishop of Paris, was seized some time since, by order of the commune, and thrust into prison to be held as a hostage. Such treatment of that most devout and excellent man could have but created a great sensation, particularly in the Catholic world. On Thursday night last I received a letter from Monseigneur Chigi, archbishop of Myre and Apostolic Nuncio of the Holy See, and also a communication from Mr. Lounoner, Canon of the diocese of Paris; Mr. Lagarde, the vicar-general of Paris; and Messrs. Bourset and Allain, Canons and members of the Metropolitan Chapter of the Church of Paris, all making a strong appeal to me, in the name of the right of nations, humanity, and sympathy, to interpose my good offices in behalf of the imprisoned archbishop. I have thought that I should have been only conforming to what I believed to be the policy of our government, and carrying out what I conceived to be your wishes under the circumstances, by complying with the request of the gentlemen who have addressed me. I, therefore, early this morning put myself in communication with General Cluseret, who seems, at the present time, to be the directing man in affairs here. I told him that I applied to him not in my diplomatic capacity, but simply in the interest of good feeling and humanity, to see if it were not possible to have the arch-

bishop relieved from arrest and confinement. He answered that it was not a matter within his jurisdiction, and however much he would like to see the archbishop released, he thought, in consideration of the state of affairs, it would be impossible. He said that he was not arrested for crime, but simply to be held as a hostage, as many others had been. Under the existing circumstances he thought it would be useless to take any steps in that direction. I, myself, thought the Commune would not dare in the present excited state of public feeling in Paris to release the archbishop. I told General Cluseret, however, that I must see him to ascertain his real situation, the condition of his health, and whether he was in want of anything. He said there would be no objection to that, and he immediately went with me, in person, to see the Procureur of the Commune; and upon his application I received from the prefect a permission to visit the archbishop freely at any time. In company with my private secretary, Mr. McKean, I then went to the Mazas prison, where I was admitted without difficulty, and being ushered into one of the vacant cells the archbishop was very soon brought in. I must say that I was deeply touched at the appearance of this venerable man. With his slender person, his form somewhat bent, his long beard, for he has not been shaved apparently since his confinement, his face haggard with ill-health, all could not have failed to have moved the most indifferent. I told him I had taken great pleasure, at the instance of his friends, in intervening on his behalf, and while I could not promise myself the satisfaction of seeing him released, I was very glad to be able to visit him to ascertain his wants, and to assuage the cruel position in which he found himself. He thanked me most heartily and cordially for the disposition I had manifested toward him. I was charmed by his cheerful spirit and his interesting conversation. He seemed to appreciate his critical situation, and to be prepared for the worst. He had no word of bitterness or reproach for his persecutors, but on the other hand remarked that the world judged them to be worse than they really were. He was patiently awaiting the logic of events and praying that Providence might find a solution to these terrible troubles without the further shedding of human blood. He is confined in a cell about 6 feet by 10, possibly a little larger, which has the ordinary furniture of the Mazas prison, a wooden chair, a small wooden table, and a prison bed. The cell is lighted by one small window. As a political prisoner he is permitted to have his food brought to him from outside of the prison, and in answer to my suggestion that I should be glad to send him anything he might desire, or furnish him with any money he might want, he said that he was not in need at present. I was the first man he had seen from the outside since his imprisonment, and he had not been permitted to see the newspapers, or to have any intelligence of passing events. I shall make application to the Procureur of the Commune to be allowed to send him newspapers and other reading-matter, and shall also avail myself of the permission granted me to visit him, to the end that I may afford him any proper assistance in my power. I cannot conceal from myself, however, the great danger he is in, and I sincerely hope that I may be instrumental in saving him from the fate which seems to threaten him.

I have, &c.,

E. B. WASHBURNE.

No. 208.

Mr. Washburne to Mr. Fish.

No. 425.]

LEGATION OF THE UNITED STATES,
Paris, April 25, 1871. (Received May 10.)

SIR: Though I stated in my dispatch, No. 433, upon whose application it was that I intervened on behalf of the archbishop of Paris, I think it better to send you a copy of the letter of his excellency Monseigneur Chigi, the papal nuncio accredited to the Government of France, and also a copy of the letter of the vicar-general of Paris and his associates, both of which were addressed to me, showing the grounds upon which they based their request. I have just learned that the British embassy was appealed to in this matter, before any application was made to me, and that all intervention whatever was declined. This action, however, of the English legation, if it had been known to me, would have made no difference, for I should have considered myself perfectly justified in extending my good offices, officiously, in behalf of a man so eminent for his piety and so distinguished for his liberal sentiments and philanthropic views as the archbishop of Paris, now so cruelly persecuted.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.—Translation.]

Monseigneur Chigi to Mr. Washburne.

VERSAILLES MANTREUIL,
2 *Old Church Street, April* 18, 1871.

MR. MINISTER AND DEAR COLLEAGUE: Permit me to request you to receive with kindness, in quite a confidential way, four ecclesiastic canons of the Metropolitan Church in Paris, who come to implore your protection in behalf of the archbishop, incarcerated by the insurgents in Paris. Permit me to add my entreaties to those of the good canons, and to assure you of my deep gratitude for all you may be able to do, and to try, at least, to obtain that the life of Monseigneur Darboy be not in danger. Be pleased, Mr. Minister, to accept the assurance of my high consideration and my gratitude.

FLAVIUS CHIGI,
Arch. de Mejren, Nonce Apostolique.

[Inclosure 2.]

MR. MINISTER PLENIPOTENTIARY: The sad events which are taking place in Paris have not failed to attract the attention of your excellency, and, among other deplorable excesses which the civil war has caused in this unhappy city, the arrest of monseigneur the archbishop and the principal members of his clergy will have been particularly remarked by the different representatives of powers, friends to France.

Taking ground upon this friendship, and upon the good relations that exist between the Government of the United States of America and our country, we, the canons and members of the Metropolitan Church Chapter of Paris, such that could assemble, take the liberty to beg your excellency to be so kind as to interpose your good offices in a manner which you may think proper, in order to obtain as soon as possible the deliverance of our archbishop, and that the cause of humanity and civilization may cease to suffer in his person, doubly respectable, as well in his dignity as by his merits, one of the greatest infringements which could ever have been inflicted upon him.

Even if political idea, however, being excluded, we place ourselves entirely upon the law of nations, and upon the sympathy that such unmerited treatment cannot fail to

inspire, and we venture to hope that your excellency may favorably receive our request, and that you will give it such results as we may wish.

In this hope and confidence, we have the honor to be, Mr. Minister Plenipotentiary, your excellency's very humble and obedient servants,

LOUVRIER,
Chanoine Penitencier da Diocèse de Paris.
E. J. LAGARDE,
Vicaire-Général de Paris, Archie-diacre.
EN BOUNET, *Chanoine.*
L. ALLAIN, *Chanoine, Secrétaire.*

No. 209.

Mr. Washburne to Mr. Fish.

[Extracts.]

No. 427.] LEGATION OF THE UNITED STATES,
Paris, April 25, 1871. (Received May 10.)

SIR: * * * * * * *
Before the Journal Officiel of the Commune had reached the legation this morning, Mr. Malet, of the British embassy, called to see me in relation to a decree of the Commune, which appeared in that paper of to-day, by which requisition was made of all the vacant apartments in Paris. As this was a matter of great importance to both English and American residents, who have furnished apartments in the city, we determined it was necessary to take immediate steps for the purpose of protecting such apartments from being occupied. We therefore addressed ourselves to M. Paschal Grousset, the "*délégué aux àffaires étrangères.*" * * * * * *

He is a man of intelligence, education, and genteel personal appearance. He received us with genuine politeness, in the same room where I had been received by eight or ten different ministers of foreign affairs of the regular government. After explaining to him the object of our visit, he was very prompt to say that it was never intended that the decree should include the apartments of foreigners, though by inadvertence it was not so stated. He said he would have the correction made, and that orders should be given that the apartments of foreigners should not be molested; that if we should hear of any disturbance of such apartments, belonging either to the Americans or the English, and would inform him of the fact, he would take immediate measures to have the evil corrected. We thanked him for so promptly and so satisfactorily responding to our wishes, and took our leave. * * *
From the foreign office I went in person to the prefecture of police, to obtain the discharge of several Germans, one of them a priest, incarcerated at Mazas. There I found a young man in charge, who very promptly complied with my request, and gave me written orders to have them set at liberty. Yesterday an American lady called at the legation to beg me to interest myself to procure the release from prison of two Sisters of Charity (French). This lady was herself a Sister of Charity, and a daughter of the late Governor Roman, of Louisiana. The two nuns in prison were her friends, and had been torn away from the convent by some members of the national guard, about three or four weeks ago. She, of course, felt the greatest uneasiness in regard to their fate. I told her that while I could interfere in no way officially, I would, as an

act of friendship to her as an American, call the attention of the authorities to the case of her friends. I accordingly mentioned the matter to the man in charge of the prefecture, and without hesitation he gave me an order for their release also. This I took in person to the depot of prisoners at the conciergerie, and, after waiting about an hour to have some formalities gone through, I had the pleasure of seeing the two sisters safely outside the prison-walls. From the conciergerie, I went to Mazas, and there I found no difficulty in securing the release of the three German prisoners, including the priest. I availed myself of the occasion of again being in the prison, and called upon the archbishop of Paris, taking to him some newspapers and a bottle of old Madeira wine. I found him about the same as he was on Sunday, and manifesting the same cheerful spirit. I was sorry I could not communicate to him a favorable change in the situation. * * * * * *

I have, &c.,

E. B. WASHBURNE.

No. 210.

Mr. Fish to Mr. Washburne.

No. 272.]

DEPARTMENT OF STATE,
Washington, April 28, 1871.

SIR: I have to acknowledge the receipt of your dispatch of the 8th instant, No. 413, inclosing the statement of the case of Mr. Albert C. Fougen, who claims to be a citizen of the United States, in regard to the appropriation and destruction of his property in France by the Prussian forces.

In reply I have to inform you that the Court of Claims, adopting the language of my predecessor, Mr. Seward, has decided it to be the law and usage of nations that one who takes up a residence in a foreign place, and there suffers an injury to his property, by reason of belligerent acts committed against that place by another foreign nation, must abide the chances of the country in which he chooses to reside, and his only chance if any, is against the government of that country, in which his own sovereign will not interest himself. Such has been the doctrine and practice of the United States and of the great powers of Europe, and this government, therefore, cannot intervene in behalf of Mr. Fougen, or of any citizen of the United States, under the same circumstances.

I am, &c.,

HAMILTON FISH.

No. 211.

Mr. Washburne to Mr. Fish.

No. 429.]

LEGATION OF THE UNITED STATES,
Paris, April 28, 1871. (Received May 12.)

SIR: There has been but very little change of situation in Paris since I had the honor of addressing you my last dispatch. The Versailles troops have been vigorously bombarding the forts of Issy and Vanves for the past two or three days, but they have not yet taken possession

of either of them. Constant fighting has been going on at Asnieres and the surrounding villages since Wednesday, but I can hear of no results. The applications for passes by the Alsatians and Lorrainers continue to be made in large numbers. I have already given more than fifteen hundred. Yesterday I ascertained that the authorities of the Commune had, from a day or two before, been requiring a *visa* from the prefecture of police for all the *laissez-passers* I had given, and a fee of two francs for each *visa*. I immediately sent to the prefect to make a remonstrance, and he very promptly agreed to waive the formality which requires the holder of a pass to appear at the prefecture and pay the fee, and to put the stamp of the prefect upon such blank *laissez-passers* as I might send him.

In my No. 427 I spoke of the interview of Mr. Malet and myself with Mr. Paschal Grousset, in regard to the protection of the apartments of foreigners. The Journal Officiel of the Commune yesterday contained a notice on this subject from Mr. Grousset, a copy of which I inclose herewith, and which you will perceive goes as far as any one could ask.

We are yet in the dark as to the design of the Versailles government, so far as regards the reduction of Paris—whether an attempt will be made to take it by assault or whether it will be besieged. It will be six weeks to-morrow since the insurrection broke out, and the prospect of its suppression *seems* as remote as ever.

I propose to go to Versailles to-morrow, and to return on Monday. While there, I shall endeavor to present my letter of credence to Mr. Thiers.

I have, &c.,

E. B. WASHBURNE.

No. 212.

Mr. Washburne to Mr. Fish.

No. 431.] LEGATION OF THE UNITED STATES,
Paris, May 2, 1871. (Received May 16.)

SIR: Cluseret, having "strutted his brief hour on the stage," was suddenly withdrawn from public view on Sunday night last, having been arrested by order of the Commune and thrust into the Conciergerie. When his arrest became known yesterday, it produced a great deal of excitement in the city. There are various surmises in regard to the causes of this extraordinary arrest. The Journal Officiel of the Commune of this morning says it is on account of his incapacity and his negligence, which had compromised the possession of the fort of Issy. There is another report that the late "delegate to the war department" was concerned in the plot to overthrow the Commune; another, that he had sold himself to the Versailles government; and yet another, that he was a mere agent of the Orleans faction. At any rate, he is in jail, and a report is current to-day that he is to be sent to a military tribunal. Mr. Cluseret has been the leading figure in the insurrection for the past three or four weeks, wielding an immense power, and I am surprised that, having control of the army as he has had, he should have permitted himself to be thus "taken off." This arrest, together with a decree which appears in the insurrectionary Journal Officiel of this morning, organizing a committee of public safety, to consist of five members named by the Commune, with the fullest powers and respon-

ble only to the Commune, has created a greater feeling of terror in the hole community than anything I have seen yet. Cluseret is succeeded y Colonel Rossel, who is a graduate of the polytechnic school, and an ngineer officer in the regular army. He was in the army of the Loire, nd, I believe, was recommended for a brigadier-general, but the ap-ointment was not made; whereupon he joined his fortunes to those of he Commune.

It was believed at Versailles, when I left there at 3 o'clock yesterday fternoon, that the fort of Issy was taken, but the papers of the Com-mune this morning deny it, and claim that they yet hold it. There are ndications of a more desperate energy than I have yet seen. If the ort of Issy shall fall into the possession of the government, the forts f Vanves and Montrouge must very soon thereafter follow suite. When that takes place, I think we may expect a breach soon to be nade in the walls of the city, and an attempt be made to enter. In the madness which prevails here, I will not undertake any prediction of what will happen in the event of an attempt to take the city by as-sault. I found at Versailles yesterday that a more cheerful feeling pre-vailed in the military circles, and great confidence was expressed that n one week the government would be master in Paris. From what I see and know of the situation here, I must say I have great doubts on the subject.

I regret to say that I consider the life of the archbishop of Paris in the most imminent danger. The report that Prince de Bismarck had determined to intervene to save the life of the archbishop, having unfor-tunately got out, caused great excitement. On Sunday last a party of the national guards made their way into the prison of Mazas, with the avowed purpose of shooting the archbishop. Most fortunately, a mem-ber of the Commune made his appearance at the moment, and was able to prevent the purpose from being carried out. The regular keepers of the prison were very much alarmed, and removed the archbishop from the cell which he occupied to another in a different part of the prison. What was prevented on Sunday by the accidental presence of a mem-ber of the Commune may happen any day. Having reason to believe that General Fabrice is charged by his government to do what he can to save the life of the archbishop, and charged as I am here with the protection of German interests, as well as in the interests of humanity, I have deemed it my duty to send him a confidential verbal message, by a member of my legation, advising him of the present critical posi-tion of the archbishop, to the end, if he have any instructions to inter-vene, that he may take such steps in the matter as he may deem proper.

I have, &c.,

E. B. WASHBURNE.

No. 213.

Mr. Washburne to Mr. Fish.

No. 433.] LEGATION OF THE UNITED STATES,
Paris, May 5, 1871. (Received May 19.)

SIR: I shall send a dispatch-bag to London to-night, but shall have nothing of very great importance to communicate to you. Military movements under the walls of Paris have been more active for the past few days than at any time since the insurrection began, but I cannot see that the Versailles troops have made any great headway. After all

the talk, the fort of Issy has not yet been taken, but I consider it impossible for it to hold out much longer. The bombardment of all of our portion of the city, from Mont Valerien and the fortifications at Courbevoie, was much heavier yesterday than it had been any day previous. Shells came down the Champs Elysées as far as the Palace of Industry. Of course I have no knowledge of the plans of the government troops, or what the expectation of the Versailles people is at the present moment, as to how soon they will be able to suppress the insurrection; but I must say now, as I have before said, that I see no immediate prospect of a speedy termination of this frightful contest. While the government, for six or seven weeks, has been concentrating its troops and gathering strength, the Commune has been strengthening itself in a greater ratio. With an army of seventy or eighty thousand effective men, well armed and equipped, with an abundant supply of cannon of every caliber, and of mitrailleuses, with more ammunition than could be consumed in a year, with gunboats upon the Seine, with the possession of all the forts on the south side of the city, it can well be imagined that it is no small job to take Paris at the present time, with its enceinte, and prepared as it has now become, by its interior barricades and defenses, to resist at almost every step. And the pecuniary resources of the Commune are unbounded, for it holds in its own grasp all the wealth of Paris. It only has to make its decrees, to be enforced by the national guard, to seize everything of value upon which hands can be laid. It not only lays under contribution every source of revenue, but it has now commenced an organized pillage. As I am writing, an Alsatian who has called upon me to ask my protection, as being a German subject, informs me that night before last some national guards, armed with the authority of the committee of public safety, invaded the magnificent hotel of Mr. Martin (du Nord), one of the richest manufacturers in France, in the rue de Paradis, and carried off everything they could find—furniture, plate, jewelry, decorations, &c., &c. The sole allegation against him was that having been a colonel in the national guards, he had left Paris and gone to Versailles. As time runs on, these outrages will increase in number, and without the warrant of any pretended authority whatever. Nothing can be more terrible than the present prospect in Paris, and the discouragement of all the better classes has become complete. I continue to have the greatest anxiety for the large interests of our countrymen here, as well as of those Germans who are under my protection, and I propose to remain to protect them as long as my services can be of any value. The little that is to be done at Versailles at the present time can be attended to by Mr. Hoffman as well as by myself, and, as the interests which I represent are still so much more important in Paris, I have deemed it my duty, disagreeable as it is, to remain here most of the time.

The subjects of Alsace and Lorraine continue to throng the legation from morning until night, seeking *laissèz-passers* and protection. The number of persons to whom I have given passes now reaches twenty-five hundred. I wrote to Prince Bismarck of the action I had taken in this regard, and he has directed General Fabrice, in command of the German forces now stationed near Paris, to thank me for what I have already done, and to request me to continue to act in the same way.

I propose to go to Versailles to-morrow and to pass the Sabbath with my family near Rambouillet, and to return here again on Monday. Our last dates are, from Washington, April 21, and from New York, the day following.

I have, &c.,

E. B. WASHBURNE.

No. 214.

Mr. Washburne to Mr. Fish.

No. 437.] LEGATION OF THE UNITED STATES,
Paris, May 11, 1871. (Received May 26.)

SIR: The crisis seems to be really approaching. You will have seen the announcement of the capture of the fort of Issy by the Versailles troops, and the report this evening is that the fort of Vanves has also fallen. The government, having apparently completed the preparations, is now attacking Paris with great fury. The new and powerful battery of seventy-two guns of the heaviest caliber at Montretout has been firing for the past few days on the enceinte, and particularly on the gate of Versailles. Large numbers of the government troops have crossed the Seine at Sevres, and, through the village of Boulogne-sur-Seine, advanced into the Bois de Boulogne. It is said that they were yesterday establishing breaching-batteries at a point not more than two or three hundred yards from the ramparts. When a breach shall be made in that direction, there will be little difficulty in coming inside of the walls and taking possession of Passy—in fact, of all that portion of the city in the neighborhood of the Arc of Triumph. The insurrectionary force are said to have been withdrawn from these positions, and the resistance that will be made by the insurgents will be in other parts of the city. I thought a week ago that the opposition would be greater than I am now satisfied it will be. The continued hammering away of the government troops, the surprise andcapture of the redoubt Moulin Sacquet, the taking of Fort Issy, and the inevitable fall of the fort of Vanves, have created great demoralization in the city. Yesterday was a day of panic. The announcement of the capture of Fort Issy, and the extraordinary letter of Rossel, the delegate at the war department, giving his resignation (a copy which I send herewith as a sort of historic document), created a great commotion. The desperate wrangles in the Commune, and the quarrel between that augnst body and the central committee, which were all well known to the public, added to the general excitement.

The members of the committee of public safety, as it was first organized, not having met public expectations, were suddenly discharged, and five other men of the most desperate character in the Commune (one of them being a murderer) were appointed. Rossel, like his predecessors, Assi, Bergeret, and Cluseret, was arrested and ordered to be sent to a military tribunal. It seems that he was put in charge for safe custody into the hands of one of the members of the Commune, and it appears to-day that both the prisoner and his keeper have run away. Delescluze, a notorious agitator, has been appointed to the war department in the place of Rossel, and if the Versailles troops do not come in, he may run a week before he finds a hospitable shelter within the walls of Mazas. Signs of demoralization and discouragement are everywhere visible. The national guard is being weakened every day, not only by its losses in actual combat and in prisoners, but by vast numbers of desertions. Almost every man who has the chance to do so with any degree of safety to himself is slipping out of the service, and instead of an army of sixty or eighty thousand, as claimed a week ago, I do not believe one-half that number can be counted on to-day. A good many think that, in the present feeling of discouragement, the government troops could enter and retake Paris without any serious resistance; but others, of an equal number, look upon a desperate contest and the shedding of a great deal

of blood as inevitable. The worse things grow, the more desperate the Commune becomes. One of its last acts is a decree for the immediate demolition of the house of Mr. Thiers. Pillage, under the name of "perquisitions," is the order of the day. All the churches are either closed or converted into club-houses. That immense edifice, the old and historic church of St. Eustache, has been the favorite place of resort for the revolutionary and turbulent population of the central part of the city. All the convents have been shut up, and all the priests and a large number of the Sisters of Charity have been imprisoned. All of the valuables belonging to the churches and to the convents have been stolen and carried off. The archbishop is still in prison, and his situation is becoming daily more and more dangerous. I am interesting myself officiously in endeavoring o have him exchanged for Blanqui, who is under sentence of death for contumacy for his part in the attempted insurrection of the 31st of October last. The Commune has once agreed to make the exchange, which Mr. Thiers declined, but the archbishop, whom I saw in prison yesterday, thinks he may now agree to it, in view of the increasing dangers to which he is exposed.

In addition to the letter of Rossel, I send you a copy of the proclamation of Mr. Thiers to the people of Paris, and also, as a curiosity, I send you some numbers of the insurrectionary journals published in the city. Of the papers I have been in the habit of sending you, all have been suppressed except the Siecle. Applications for *laissez-passers* for the Alsatians and German Lorrainers continue to be made in great numbers. We have given two hundred and forty-three to-day, making the whole number three thousand four hundred and seventy-four, and "the cry is, still they come."

MAY 12, 1871.—Nothing new to-day of any importance. While the fighting continues very fiercely all around, we see no evidence of the Versailles troops coming into the city. The insurrectionary Journal Officiel of this morning contains a furious address to the people of Paris from the committee of public safety, charging treason and corruption in the ranks, the first fruit of which was the abandonment of Fort Issy. It says that the threads of the dark conspiracy have been discovered, and that the largest portion of the guilty have been arrested. It further says that while the crime of these men is frightful, their chastisement will be exemplary; that a court-martial is sitting in permanence, and that justice will be done. It is very probable that Cluseret is embraced among the "guilty."

The same journal contains a decree of the Commune, suppressing six additional papers, making twenty-one in all that have been suppressed by the insurrectionary authority.

I have, &c.,

E. B. WASHBURNE.

No. 215.

Mr. Washburne to Mr. Fish.

[Extracts.]

No. 441.] LEGATION OF THE UNITED STATES,
Paris, May 16, 1871. (Received June 1.)

SIR: I went to Versailles on Saturday last, to relieve Mr. Hoffman for two or three days, and returned on Monday evening. The situation

ere seems always to be the same. They are continually on the point coming into Paris. It was so four weeks ago, and it was so last onday. The day for the "supreme effort" evidently draws nigh, but will have more to say on this subject in a later dispatch. In Paris I ind there had been no particular change in things on my return. The ork of the demolition of the house of Mr. Thiers in the Place St. eorges progresses. The hatred and rage of the Commune against the ief of the executive power surpass all bounds. The insurrectionist urnal Officiel of this morning has another decree in relation to the bject, providing that all the linen found in the house should be sent the hospitals; that all the objects of art and valuable books should be nt to the Bibliotheque and National Museums; that the furniture ould be sold at public auction, after being exposed in the sales-rooms, id that the products of the sale should go to the widows and orphans the victims of the war, and the same destination should also be given the proceeds of the sale of the materials of the house; and, lastly, iat "upon the site of the hotel of the parricide should be established a iblic square." Mr. Thiers had lived in this house for nearly half a entury, and it was there that he composed his great works and preared the speeches which he had delivered at the French tribune, and iere he had received the most celebrated political persons and savans f the age. There he had gathered the rarest works of art, books, and ianuscripts that were to be found in all Europe. Such vandalism is withut a parallel in the history of civilization. The national convention ecreed the destruction of the house of Buzot, the Girondist, who had fled om Paris after the days of the 31st of May and 2d of June, when the onvention placed him, among others, in accusation, but the destruction of ie plain home of a deputy, not enriched by associations and historic ouvenirs, was as nothing to the vandalism exhibited in the demolition f the house of the head of the French nation. As I write, 5.30 p. m., ord comes to the legation that the "Column Vendome" has just fallen. Notice had been given from day to day that it was to fall at a stated our, and immense crowds have been awaiting the moment of its overhrow. The Journal Officiel of the commune this morning announced hat it would be thrown down precisely at 2 o'clock in the afternoon, nd as I drove along the boulevard, at the head of the Rue de la Paix, t half past two, the crowd of people collected in that place and in the tue Castiglione was immense. Great numbers in this crowd were hoping hat this splendid work of art would continue to resist all the appliances ised to tear it down, until the arrival of the Versailles troops, but by ar the greater number were waiting with intense anxiety for the noment when it might finally fall before a spirit of hatred and revenge which could see a triumph in the destruction of a work that had excited the wonder and admiration of the world. While the authorities of the Commune had some time since protested that no Germans remained in prison, not a day passes but that it is made known to me that more or less of them are still incarcerated. The whole time of Mr. McKean, who acts as my private secretary, is taken up in visiting the prisons and procuring the release of these persons. General Fabrice wrote me, a few days since, that four of the Sisters of Charity who were at the convent of Picpus, about which there has been so much scandal, were Germans, and that they had been arrested and imprisoned. He desired that I would have them immediately released. Mr. McKean addressed himself to the subject yesterday, and visited the delegate to the ministry of justice in relation to it. The delegate alleged that an examination disclosed that murders had been committed in the convent,

and that those particular sisters, with others, were held until it could be ascertained how far they were involved. The delegate in person took Mr. McKean to the convent, and explained to him the horrors that had been there enacted. While there, he saw many things that were suspicious, as explained to him. He seems incredulous in regard to the confinement of the insane women in the little boxes, about which so much has been said, and which has created such an intense feeling.

The Commune has now commenced its "*perquisitions*" for arms and men, taking the city by arrondissements. The national guards, under arms, surround the arrondissements, and keep all persons from going in or coming out. They then make an entry into each house, and go into every apartment and every room. If a door is not opened, it is immediately forced by a locksmith, who always accompanies the guard. All arms, of whatever nature, are seized and carried off. If a man is found, they demand of him "*pourquoi n'êtes vous pas de la Garde Nationale?*" If he does not prove that he is a foreigner, or that he does not owe service, by reason of age or infirmity, he is dragged away to some depot. There he is put into the uniform of a national guard, a musket placed in his hand, and then he is at once sent to the front.

The decrees and action of the Commune are becoming more and more outrageous, and I might say ridiculous, every day. One of the last performances is a decree providing that every citizen shall be supplied with a "*carte d'identité*," giving his name, age, profession, domicile, &c. The manner of obtaining this card is prescribed, and any man who is not the bearer of one is to be arrested and kept in arrest until he can regularly establish his identity. It is the duty of all national guards to require the exhibition of this card. This decree is in poor imitation of 1793, when, during the reign of terror, every person was required to have his "certificate of civism." The reason given by the Commune for this decree is, that the government of Versailles is seeking to introduce its secret agents into Paris, charged with the mission of making an "appeal to treason." The decree has been very badly received by the population of Paris, and even the most violent of the Commune journals criticise it severely. If it should be attempted to carry it into execution, it would tend to put an end to all circulation in the city, for every man would be liable to be called upon by some over-zealous national guard to show his papers at about every step.

The suppression of newspapers still goes on. Six or seven have been suppressed since my last dispatch. The *Siècle*, that old republican journal, which was the only one left of the papers which you had directed to be sent to the Department, is in the last list of those proscribed. A new paper appears this morning, under the title of Le Bulletin du Jour, and I think it is the Siècle under another name. I send you some numbers of this last.

Scarcely a day passes without some singular incident. The man who commanded the whole of the national guard in Paris on the 18th of March, the day of the accomplishment of the insurrection, Charles Lullier, called at the legation to-day. He is a man of about thirty-two years of age, and was, up to within the last two or three years, a lieutenant in the French navy. He had been traveling in the United States, and only returned to France last October.

In the accomplishment of his purposes to release Germans from prison, Mr. McKean has had occasion to meet Mr. Delescluze, the new delegate at the ministry of war. He represents him as a most perfect type of the Jacobin and revolutionist of 1793. On visiting the war department, he found about forty officers awaiting their turn of admission to the presence

the delegate. He sent in his card, and was immediately admitted, ding Delescluze installed in the same room where we had some three four weeks before seen Cluseret in all the pride of his power and thority. There sat Delescluze in the same chair.

The wranglings and dissensions continue in the Commune. Twenty-vo of the members have issued a manifesto, charging that the body as abdicated its power into the hands of a dictatorship, which is called e committee of public safety, and declared itself irresponsible, abanoning the situation to the committee. They consequently state that ey will not again appear in the Commune until a different state of fairs exists, but will go into the midst of their brothers in the national uard. There is no doubt that the committee of public safety has now bsorbed about all the powers of the present insurrectionary governent, and has become the authority of the Commune greater than the ommune itself. A new phase of outrage was developed yesterday. A erman, who had a shop in the Rue St. Antoine, had gone from the city, aving his goods and effects in the charge of an agent. The agent ppeared at the legation to-day to ascertain if protection could be given o him. The national guard had been to the premises of which he had harge and forced an entrance. He immediately sought a member of he Commune, to protest against this outrage, saying that the proprietor ras a foreigner, and that his property was entitled to be respected. he answer was that the property of no man, either a Frenchman or a oreigner, who had left Paris, had any right to be respected, and would ot be, but that it would be confiscated to the Commune. Satisfying nyself that the owner of the shop was a German, who had a right to laim my protection, I gave a paper certifying to that fact, and stating hat the property, being that of a foreigner, was entitled to be respected and protected; and, further, I informed the agent verbally that he might ell all persons who proposed to interfere with the property, that if any damage were done I should deem it my duty to inform General Fabrice of the fact, and he undoubtedly would take all measures necessary in the case. I have no opportunity to send to London to-night, and shall therefore retain this dispatch to go by the bag which I shall send out on Friday night next.

I have, &c.,

E. B. WASHBURNE.

No. 216.

Mr. Washburne to Mr. Fish.

No. 444.] LEGATION OF THE UNITED STATES,
Paris, May 19, 1871. (Received June 1.)

SIR: When I had the honor to address you my No. 437, under date of the 11th instant, I felt certain that before another week should roll around the Versailles troops would enter Paris. There was great demoralization in the city and among the national guard, and it seemed to me that if the government had attacked with any energy, its troops would certainly have been inside the walls before this time. Such, however, is not the case, yet the fighting for the past few days around the entire south side of the city has been very furious. Day by day passes and we see no troops of the line yet in Paris. The fort of Vanves was captured from the Commune on Sunday last, and Montrouge must

be at the end of its defense. Confusion increases in Paris; the commune is torn by intestine dissension, but yet the city is held, not so much, in my judgment, by the military strength of the insurrectionists as by the weakness of the attacking party. It seems impossible, however, for this condition of things to continue much longer. The insurrectionary authorities are more desperate than ever. In an official communication this morning, they say the committee of public safety is decided to blow up Paris and bury every one under its ruins rather than capitulate. Of course this is all wild talk, but it shows to what straits they feel themselves reduced.

I need not tell you how rejoiced I shall be when peace returns to this distracted and unhappy city, and when we shall have a more quiet state of affairs. The pressure upon the legation continues. As I am the only chief of a mission who remains in Paris, my good offices are sought for every hour of the day, not only by our own countrymen, but by people of other nationalities, who have an idea that I can be of some assistance to them. The Alsatians and German Lorrainers continue to come to seek my protection in increasing numbers. I reach the legation at quarter past 8 o'clock every morning, always to find a crowd of them assembled there. More than two hundred are now waiting in the street under my window, to receive their *laissez-passers*. The whole number of passes issued by me now amounts to four thousand four hundred and fifty. As each case requires a special examination, to ascertain whether the party seeking protection is entitled to it, by virtue of his having become a German subject, you can well imagine the amount of labor that is involved. I have ten persons employed in this service not members of the legation. When the treaty of peace shall have been definitely ratified at Versailles, I hope that Prince de Bismarck will send a diplomatic representative here to relieve me.

The committee of public safety publishes a decree this morning suppressing ten more papers, and forbidding the publication of any new journals during the war. Several of the newspapers suppressed this morning have been supporters of the commune. I believe that every paper published in Paris before the insurrection, excepting "*La Verité*," has been suppressed. Since I commenced writing this dispatch, I have again visited the archbishop, to communicate to him that it was impossible to effect his exchange for Blanqui. I am sorry to say I found him very feeble. He has been confined to his pallet for the last week with a kind of pleurisy; is without appetite, and very much reduced in strength. He is yet cheerful, and apparently resigned for any fate that may await him.

I have just learned that the treaty with Germany was ratified by the national assembly at Versailles yesterday, almost unanimously.

I have, &c.,

E. B. WASHBURNE.

No. 217.

General Fabrice to Mr. Washburne.

SOISY, *May* 10, 1871.

SIR: I am informed that four German nuns, Sisters Perpetua, Frederica, Maximilienne, and Ludovica, have been arrested, 35 Rue de Picpus, by order of the municipal authorities. My informant states that an

English n[illegible]n, who has been arrested at the same time, was since set free in conseq[illegible]ence of steps taken by the British embassy.

Perhap[illegible] your excellency may be able to learn at the house where the arres[illegible] is said to have taken place how far the above statement is authentic[illegible] and, eventually, what prisons the four nuns have been brought to. In ca[illegible]se the municipal authorities should hesitate to set them free at once, a[illegible]t your excellency's request, I beg to be informed of the fact.

I a[illegible]m, sir, your excellency's obedient servant,

FABRICE.

His E[illegible]cellency E. B. WASHBURNE,

&c., &c., &c.

No. 218.

General Fabrice to Mr. Washburne.

SOISY, *May* 15, 1871.

SIR: I gratefully acknowledge the receipt of your letter of the 9th instant. I should feel deeply obliged if you would obtain the release of the four German nuns in St. Lazare without delay.

General Schlotheim's letter to you was based upon a mistake which has been, by this time, rectified. I beg that you will henceforth be so good as to direct either to me or to my diplomatic successor all answers to inquiries coming from other German authorities.

I have the honor to be, sir, your excellency's obedient servant,

FABRICE.

His Excellency E. B. WASHBURNE,

&c., &c., &c.

No. 219.

Mr. Washburne to General Fabrice.

LEGATION OF THE UNITED STATES,

May 20, 1871.

G[illegible]NERAL: I have the pleasure to inform you that after a good deal of trou[illegible]ble and delay the four German nuns you wrote about on the 15th inst[illegible]nt have been released. At the same time I procured the release of s[illegible]ven others, also imprisoned at St. Lazare. They have all left the city [illegible] furnished with my *laissez-passers*, and I trust they are all now out of h[illegible]rm's way.

T[illegible]ere is some hesitation on the part of the Commune authorities about re[illegible]asing a Mr. Bosch, a German, and two or three Alsatians, who belong to [illegible]he gendarmes. I hope, however, they will be released very soon [illegible] have to address you further on the subject.

[illegible]ot, I may [illegible]lotheim never addressed any letter to me; a member of the [illegible]authorities brought to me a letter from the general, mak- in[illegible] in regard to the Germans in prison in Paris, and he [illegible]answer it to say that all such Germans had been released. [illegible]cion of things has grown worse and worse daily. As I am

writing my servant comes in to tell me that the national guard has come to invade my house, declaring they will not respect my diplomatic character. All the houses in the neighborhood have been pillaged.

I have the honor, &c.,

E. B. WASHBURNE.

General FABRICE, *Soisy*.

No. 220.

Mr. Washburne to Mr. Fish.

No. 445.] LEGATION OF THE UNITED STATES,
Paris, May 22, 1871. (Received June 7.)

SIR: The day of the 22d of May will become an important era in the history of Paris and of France. It was nine weeks on Saturday last since the insurrection broke out, and those weeks have run wearily on in the expectation that every week would be the last. I returned to my lodgings last night at about eleven o'clock, and had heard nothing and could see nothing that showed any change in the situation. But it now appears that at half past three o'clock yesterday afternoon the first division of the army of the reserve, commanded by General Vergé, entered the gate of St. Cloud, which is on what is called the "route of Versailles." A breach had been made at that point, but I am informed that it was not the expectation of the regular troops that they could enter at that time; but they pressed forward, and finding but little opposition, they were soon within the walls. The national guard retired very slowly, and such was the state of things existing, and so loose was the military organization of the Commune, that it was not known until into the night that the Versailles troops had passed the enceinte. The Commune was reposing in fancied security, and it was not until after midnight that they were advised as to the full extent of what had happened. Then was there "hurrying to and fro," the tocsin was sounded all over the city, the *générale* was beaten, orderlies dashed furiously in every direction, but all to no purpose. The national guard becoming demoralized, began to retreat hastily before the advancing forces. The entrance into the city having been made at the Porte de St. Cloud, the consequence was that the Commune troops that had been guarding the enceinte, and all the gates from that of St. Cloud clear round to the Porte des Ternes, found themselves taken in the reverse, and by four o'clock this morning they had abandoned all their positions and fled to the interior of the city. The gates of Auteuil, Passy, and La Muette, being then left undefended, the troops of the line began pouring in through all of them. It was not until six o'clock this morning that I heard of what had taken place. My servant came to tell me that the troops were in, and that the *tricolored flag* floated on the top of the Arc de Triomphe. I hurried into the street and saw for myself the flag flying from the scaffolding supporting the machinery which had enabled the insurgents to draw up and plant upon the top of the arch five pieces of cannon. By this time, the head of the column advancing into the city and passing along the right bank of the Seine, by the Cours la Reine, was vigorously attacking the Place de la Concorde. At the same time another column crossing the avenue of the Champs Elysées, near the Arch, was marching in by the avenue de Friedland and down the rue Faubourg St. Honoré. At about nine o'clock the insurgent batteries at Montmartre began shelling the Place

d'Etoile, and soon many shells fell in the immediate neighborhood of the legation, but fortunately we received no damage. The fighting has continued all day about the Place de la Concorde, and it does not seem that the Versailles troops have gained much ground. At three o'clock this afternoon, accompanied by a friend, I took a ride along all those portions of the ramparts which have been bombarded by Mont Valerien, the great battery at Montretout, and the several breaching batteries. We passed around from the Porte de Dauphine, which is so near my residence, to the Porte of St. Cloud. I was at my house for the first time for two weeks, and found it but very little injured. Two pieces of shell had entered, and besides the breaking of considerable glass, there was no material damage. Some houses in the vicinity received many shells, and several of them have been pillaged. My servants who lived in the cellar were enabled to keep out the brigand national guards, although they made one or two serious demonstrations.

In going from the Porte de Dauphine, which had not been very severely bombarded, to the Porte de St. Cloud (more generally known as the Point-du-Jour), we passed the gates of La Muette, Passy, and Auteuil. Breaches had been made at all of them, and the destruction of property inside the enceinte has been immense. Nothing could live under the terrible fire of Mont Valerien and Montretout. An English military man told me he thought the battery of Montretout was the most powerful battery the world had ever seen. Never have I seen such a "wreck of matter"; guns dismounted, their carriages torn to pieces, barricades leveled, and buildings entirely demolished. We saw along the line of the ramparts many dead bodies of the national guard, several of them in a state of decomposition. The firing was so dreadful that it had been impossible to get them away. Returning from the Point-du-Jour into the city, we saw additional troops coming in, and the streets of Passy were crowded with them. It is estimated that from eighty to one hundred thousand troops of the line will be in the city before to-morrow morning. In all our part of the city they have been received with unbounded joy by the few people remaining. The citizens are congratulating each other that they are at last delivered from the oppression and terror of the last two months.

As I write, at ten o'clock at night, the fight seems to be going on as furious as ever at the Place de la Concorde. I shall continue this dispatch to-morrow, and shall hope to be able to send it over to London to-morrow night.

TUESDAY MORNING, *May* 23, 1871.—It seems difficult to get at any-thing reliable this morning. The fight continues, and always in the same neighborhood. The firing was terrific all last night. Shells from Mont-Valerien were continually falling in our quarter, but it is extraordinary how little the damage has been. We can see from the top of the legation building that the *red flag*, that hated emblem of assassination and anarchy and disorder, still flies from the Tuileries and from the Ministry of the marine. The insurgents are evidently making a desperate resistance.

A gentleman has just come to the legation who proposes to leave at noon to-day for London. I therefore close this dispatch suddenly to send by him. I send also a telegraphic dispatch to be transmitted to you from London to-morrow.

I have, &c.,

E. B. WASHBURNE.

No. 221.

Mr. Washburne to Mr. Fish.

LEGATION OF THE UNITED STATES,
Paris, May 23, 1871. (Received June 7.)

SIR: On the other page I have the honor to send you a copy of a telegraphic dispatch, which I send to London to-night to be transmitted to you from there by Mr. Moran.

I have, &c.,

E. B. WASHBURNE.

[Inclosure.]

Mr. Washburne to Mr. Fish.

LEGATION OF THE UNITED STATES,
Paris, May 23—noon.

FISH, *Washington:*

Desperate fighting for thirty-six hours. Still continues. Versailles gains ground slowly, but surely.

WASHBURNE.

No. 222.

Mr. Washburne to Mr. Fish.

No. 448.] PARIS, *May* 24, 1871. (Received June 7.)

SIR: My narration of the prodigious events which have been transpiring in Paris since Sunday last closed at noon of yesterday. As it was impossible to reach those parts of the city in which the fighting was going on, I only knew that the contest was raging with unparalleled fury in the central portion of it. At half past five or six o'clock of yesterday it was evident that an immense fire had broken out at the chancellerie of the legion of honor. Soon we saw the smoke arising in other parts of the city, showing but too plainly that the terrible threats of the Commune of a general conflagration had commenced to be carried out. I was at the headquarters of Marshal MacMahon, at Passy, at about nine o'clock in the evening, for the purpose of soliciting the sending of troops at the earliest moment for the release of the archbishop of Paris and other hostages in the prison of Mazas, and there I was told by an officer of the staff that the palace of the Tuileries was on fire. On my return I could discover nothing, and I hoped that he had been mistaken. At one o'clock this morning I was awakened by a friend, who told me that the palace was all in flames. I hurried to a position from which I had a full and complete view of the fire. It was a starlight night, calm and beautiful. An insurgent battery, which had been for twenty-four hours shelling our part of the town, was still sending its bombs into the immediate neighbor hood of the legation every fifteen minutes. The roar of other cannon, the "*crépitement*" of the mitrailleuses and the sharp rattling of the chassepots fell upon the still of the night. The lurid flames rising from the burning palace lighted up half the heavens, and the whole scene was the most terrible I had ever witnessed. To the

of the Tuileries were added other conflagrations,
ce, the buildings of the rue Royal, and other fire
started. At one time it appeared to those of us
the progress of the conflagration that the "Hospit
certainly on fire, but as the night wore on, dayli
ed dome intact, and we discovered, to our great gra
a short distance beyond in the same direction. A
ning I sent a messenger to Versailles with a telegra
in regard to what had taken place. Coming to th
ck, I heard that the Versailles troops had captur
ns at the Place de la Concorde and the Place Ven
my carriage and proceeded in that direction, p
levard Haussman to the Place St. Augustin, and t
The insurgents had occupied the Caserne, and
a fight of about two hours, but it was at the foot
lesherbes, behind the Madeleine, and at the junction
t the insurgents had strong barricades; in fact, the
n was there, for if the Versailles troops could onc
y could easily take the great barricades in the ru
Rivoli, and the Place Vendôme, in the reverse, a
sperate fighting took place for a period of nearly
The neighborhood presented a most dreadful appear
The sidewalks of the splended boulevard Malesherb
rses, baggage-wagons, and artillery-carriages. Th
ore or less torn with shot and shell; the trees were
e fire of the artillery and musketry, and their branch
A dead national guard was lying in an excavation f
In a small open space in the next street were the bodie
the line, who had been summarily shot as deserters.
I reached the front of the church of the Madeleine, at
Royale, and many of the buildings of that great th
flames, and others seemed literally to have been t
fire of the cannon and musketry. Going farther up
acines, I found many of the buildings completely ri
sidewalk was a dead national guard, and in a side str
from there, yet another dead body of the insurgent
ing by and looking on them with apparent satisfac
Place Vendôme, which had been evacuated during
for the first time saw the great column lying in the
had fallen. The insurgents had not time to remove
now to be made use of in the speedy restoration of
tional assembly having decreed that it shall at on
Place de la Concorde was evacuated at the same
retreating in the direction of the Hotel de Ville and
From the Place Vendôme I went to the rue de R
cautiously toward the Tuileries, under the arcade.
ing was still burning, and the flames were bursti
the building where *they had not before reached. It*
be impossible to save *the Louvre, but I hear, as I*
vation is secured, *with all its treasures of art and*
During the entire afternoon the fires have been ra
tions, and from the legation the sound of battle can
but it is almost impossible to procure any reliable in
to what is taking place. Most certainly something n
ascertained in the morning.

THURSDAY, *May 25.—When I closed my dispatch*

fire and battle. It is the same this morning. There were frightful burnings all the night. The great Hotel de Ville, with all its traditions and souvenirs of history, exist no longer. The cour des comptes, the court of cassation, the prefecture of police, and the celebrated old prison of the Conciergerie, have shared the same fate. All has been the work of organized incendiarism, and the insurrectionists have done everything in their power to destroy Paris. If the entry of the troops had been delayed much longer, they would certainly have succeeded. The Commune had already made "perquisitions" for all of the petroleum in the city, and prepared petroleum-boxes and other means of firing the place. Bands of men, women, and children were organized to do this diabolical work. During the past two days immense numbers of these persons have been detected in distributing these boxes, and in every case the most summary vengeance has been inflicted upon them, without regard to age, sex, or condition. An employé of this legation counted this afternoon, on the avenue d'Antin, the dead bodies of eight children, the eldest not more than fourteen years of age, who had been seized while distributing their incendiary boxes, and shot on the spot. The state of feeling now existing in Paris is fearful beyond description. Passing events have filled the whole population opposed to the Commune with horror and rage. Arrests are made by the wholesale, of the innocent as well as the guilty. Last night four Americans—two gentlemen and two ladies—innocent as yourself of all complicity with the insurrection, were seized, while dining at a restaurant, and marched through the streets to one of the military posts. They sent word to me as soon as possible of their arrest, and I lost no time in going to their relief. I addressed myself to General Douai, who, upon my statement, immediately ordered their release. He expressed much regret at what had happened; but said that, in the existing excited state of feeling, it was impossible to prevent the arrest of innocent persons; that if, unfortunately, the arrest of any other Americans occurred, they would be immediately released upon my application, unless charged with crime for which they could be justly and legally held. I went down in the city this afternoon to see for myself what was the progress of events. Very little has been done toward putting matters into shape in the parts of the city already captured from the insurgents. The barricades everywhere remain. The fire was still raging in the rue Royale. The ministry of finance is completely consumed, with every record and paper; a loss that is utterly incalculable. The insurgents having been driven beyond the Place de la Bastille, I was able to go much farther than I went yesterday. I passed up the rue de Rivoli by the smoking ruins of the Tuileries, and had the inexpressible pleasure of seeing for myself that the Louvre, with all its untold and incalculable treasures, had been preserved. As I continued up the street, it seemed as if I were following in the track of an army. Reaching the Hotel de Ville, I found the neighborhood had all the appearance of an intrenched camp. Immense barricades were on every street leading into the square. But I am told that the insurgents abandoned it without a fight, finding themselves upon the point of being hemmed in. But before leaving, they applied the torch to that pile so interwoven with the history of Paris and of France, and the pride of all Frenchmen for centuries gone by. Now there was nothing but a mass of smoldering ruins. Two squares of magnificent buildings on the lower side of the Place de l'Hotel de Ville had also been destroyed. It was, indeed, a sad sight to behold. There was a regiment of the troops of the line on the quay, but scarcely another soul was to be seen in the entire neighborhood. Eight dead

›dies of the insurgents, partially consumed by fire, lay on the ground ght in front of what was the main entrance into the building, and pre- nting the most horrible appearance, and sad sights everywhere. At ıe Place de l'Opera, I saw some five hundred prisoners, men, women, ıd children, who were being driven to Versailles. There was a squad cavalry marching in the front and in the rear of them and foot sol- ers marching on either side. I must say they were the most hideous ıd sinister-looking persons I ever saw in the whole course of my life. he sight of the prisoners excited the people to the highest pitch of dignation, and every opprobious epithet was heaped upon them, and ıe escort alone prevented violence from being inflicted upon them on ıe spot. An officer told me this afternoon that the order was to shoot ery man taken in arms against the government. I do not vouch for ıe truth of what he told me, but I do know that large numbers of the ational guard and many others, caught in some criminal act, have been immarily executed. I have had great fears that the Prussian embassy ight be burned. I learned to-day that suspicious persons were lurking bout the premises, and I immediately addressed a note to Marshal lacMahon, advising him of my apprehensions, and asking him to detail guard to protect the building. He answered me promptly that my equest had been complied with. It is with no small degree of satisfac- on that I am able to inform you that during all these horrible excesses ı Paris for the past ten weeks no material damage has been done to ıe property of Americans, neither to the property of the Germans, ith whose interests I still continue to be charged. Some few Ameri- ıns have been arrested, but all were immediately released on my appli- ation. As I have written you before, the number of Germans and lsatians whose release from prison I have obtained is quite large. among the last persons to be released were eleven German nuns, who ad been seized at the convent of Picpus.

After being set at liberty, they came to the legation in a body to thank ıe for my efforts in their behalf. What I feared most was the robbery f our countrymen under the pretext of taxes. Many demands for the ayment of taxes to the Commune had been made upon Americans, but, s I have before advised you, I told all who consulted me on the subject ot to pay, but take the chances. However, the machinery for collect- ıg these taxes had just been got ready, and the day of the 25th instant as the time it was to be put into operation. Armed with mandates om the committee of public safety, the national guards would have one everywhere, and demanded the payment of a certain sum as a tax pon all apartments, houses, business establishments, &c. If the amount as not paid by the proprietor, or, in his absence, his agent or concierge, ıe most valuable things would have been seized and carried off. You will ee, therefore, that the entry of the Versailles troops on the 22d was just ı time to prevent this organized pillage. The only newspaper I have een able to get since the entry of the troops is "*La Vérité*," two copies f which I send you, the last number appearing Wednesday morning, lthough dated to-day. No paper has appeared to-day, as far as I can earn, except a little sheet called the Constitution, which is out this vening. There is not an omnibus running in the whole city, and scarcely cab can be found. No persons, except such as have a diplomatic char- cter, or their bearers of dispatches, are permitted to leave Paris. I ave not time now to speak more fully of the scenes of carnage, fire, and lood of which Paris has been the theater for the last four days. They are ithout parallel in all its history. What took place on the days of July, 830, when Charles the Tenth was overthrown; the days of February, 1848,

when Louis Philippe was chased from the throne, and the subsequent days of the insurrection in June of the same year, was mere child's play as compared with the events of the present week. The fighting has been long, desperate, and persistent. The insurgents have fought at every step with the fury of despair. Even as I write, at the hour of midnight, the contest is not yet ended, for I hear the booming of the cannon beyond the "Place de la Bastille." The government troops have displayed great bravery, and have never for a moment recoiled before the formidable and deadly barricades of the insurgents. They have shown the spirit of the old French army.

FRIDAY NOON, *May* 26, 1871.—The fighting is still going on this forenoon in the remote parts of the city, and new fires have broken out. I have no news of the fate of the archbishop of Paris, but the general belief is that all the hostages have been shot. The Prussian embassy is all safe and intact. My messenger for London is waiting, and I must close this dispatch.

I have, &c.,

E. B. WASHBURNE.

No. 223.

Mr. Hoffman to Mr. Fish.

[Extracts.]

No. 451.] LEGATION OF THE UNITED STATES,
Versailles, May 26, 1871. (Received June 14.)

SIR: I do not know whether Mr. Washburne, who is at Paris, will be able to send a messenger to-day to London as usual. Very strict orders have been given to permit no one to pass the gates. I think it well, therefore, to inform you, that when I last heard from the legation, on the evening of the 24th, that part of the city in which it is situated was perfectly tranquil and safe. The office had been struck by a shell, but no one had been hurt. According to the last reports from Paris, the insurrection is now confined to Belleville and to Fort d'Ivry. Everywhere else it has been crushed, and in the strongholds referred to it can hold out but a few hours. The vandalism of the insurgents in destroying the public buildings they could not hold has never been equalled in history. Happily the Louvre and Bibliothèque Nationale, the most valuable of them all, have been saved. The Tuileries, the Hôtel de Ville, and others of inferior historic interest, have perished.

Petroleum is now the madness of the hour. Quiet housekeepers are stopping up the vault-openings in the pavement, on the ridiculous pretext that bands of women are roaming through the streets pouring petroleum into the vaults and then setting fire to it.

You will, no doubt, receive full information from Mr. Washburne of all that is passing in Paris as soon as the gates are open. It is expected that this will be in a day or two, and that early next week trains will be running to and from Paris as usual.

I am, &c.,

WICKHAM HOFFMAN.

No. 224.

Mr. Washburne to Marshal McMahon.

LEGATION OF THE UNITED STATES,
Paris, May 25, 1871.

SIR: I would be glad if you could send some persons from your headuarters to look after the safety of the Prussian legation, No. 78 rue e Lille. I am advised at this moment that several suspicious-looking eople have been seen about there, and I fear that it may be fired.

Very respectfully, &c.,

E. B. WASHBURNE.

His Excellency Marshal MACMAHON,
Duke de Magenta.

No. 225.

Mr. Washburne to General Douai.

LEGATION OF THE UNITED STATES,
Paris, May 31, 1871.

SIR: The guardian of the Prussian embassy, Mr. McKean, will hand ou this. He is fearful there may have been made in the embassy, uring his absence, when driven away by the Commune, some deposits f petroleum and, perhaps, of arms. I would be pleased, therefore, if ou should consider it in your line of duty to detail an officer, and, if need e, some men to go with him to visit the premises; and also that you ill furnish a guard for the neighborhood of the embassy until complete uiet shall be restored.

I have the honor, &c.,

E. B. WASHBURNE,
Minister of the United States,
charged with the Protection of the Germans, &c.

General DOUAI,
Commanding.

No. 226.

Mr. Washburne to Mr. Fish.

No. 455.] LEGATION OF THE UNITED STATES,
Paris, May 31, 1871. (Received June 16.)

SIR: After an insurrection of seventy-one days, such as has never een known in the annals of civilization, Paris was finally delivered on unday, the 28th instant; the last positions held in the city by the ommune having been taken, and their last troops captured at four 'clock on the afternoon of that day. Some of the insurrectionary troops ad gone into the fort of Vincennes, but being surrounded by General inoy, they surrendered unconditionally the next day, Monday, the 9th. The reign of the Commune for ten weeks, pursuing its career of urder, assassination, pillage, robbery, blasphemy, and terror, finally

expired in blood and flame. I find it impossible in the limits of a dispatch to give you a detailed history of the events of the last few days. If you look over the Paris journals I send you herewith, you will find fuller and far more satisfactory and interesting accounts of things than it would be possible for me to write to you. * * *

The incredible enormities of the Commune, their massacre of the archbishop of Paris and the other hostages, their countless murders of other persons who refused to join them in their fiendish work, their horrid and well-organized plans of incendiarism intended to destroy almost the entire city, and which resulted in the destruction of so many of the great monuments of Paris, are crimes which will never die. * *

On Sunday evening last, at about eight o'clock, intelligence came to me that an American lady, Miss Herring, the keeper of a boarding house on the boulevard Haussmann, had been arrested. At about five o'clock in the afternoon, when she was out of her house with two of her boarders, Mr. and Mrs. Crane, of New York, it was alleged that a shot had been fired from the building. On returning to the house they found it in the possession of soldiers and surrounded by a mob. On my arriving there the crowd had partially dispersed and a perquisition had been made in the house. Nothing, of course, was found, and upon my explanations in regard to Miss Herring, she was discharged from arrest. At this juncture, Mr. Carter, an American merchant, and the father of Mrs. Crane, went into an adjoining street to bring home the nurse and the young child of his daughter. Descending to the door to return to my lodgings, I observed in the street, a short distance away, a very large crowd uttering vociferous yells and coming in the direction where I stood. To my utter amazement I saw that this mob had fallen upon Mr. Carter, and were following him with the cry "*A mort!*" "*A mort!*" Fortunately for him there were some officers near by, who sprang to his rescue and saved him from an immediate and terrible death. While all this was going on he was separated from the nurse and child of his daughter. When the daughter saw her father barely escaping with his life from the crowd without bringing her child, she naturally became almost frantic, and with the courage belonging only to a mother, she seized an officer by the arm and marched with him directly into the mob. In a few minutes, to our inexpressible joy, we saw her return with her child and her nurse. I mention these cases as cases out of hundreds, which have been happening every day and every hour of every day, as exhibiting the inhuman and devilish spirit which has prevailed here.

I telegraphed you of the sad fate of the archbishop so cruelly shot as a hostage on Wednesday evening, the 24th instant, at the prison of La Roquette. I had become intensely interested in that venerable and excellent man. I presume mine was the last friendly face he ever beheld except those of his companions who were shot with him. I saw him at half past four or five o'clock last Sunday afternoon. I had been to see him on Friday and found him so feeble that I thought I would go again on Sunday to see how he was. The Versailles troops had already entered the gate of Saint Cloud, on the other extreme of the city, but of course no one knew it where we were. The national guard delegate to the prison was drunk and everything was very disagreeable inside. They would not let me enter the cell of the archbishop, as I had been in the habit of doing, but insisted that he should come out to see me in the corridor. I regretted that, for I knew how weak and feeble he was. He soon came out looking very badly, but with the same pleasant countenance and the same warm thanks. I told him I was sorry I could

ring him no news, but that I had felt so anxious about his health that had come to see how he was. He replied that he was a little better. We talked of the situation and of the probabilities of the speedy delivery of Paris. I told him I thought the end was near and that I hoped I should soon have the pleasure of seeing him at liberty. He replied that was always so amiable and so kind, and that if it were the will of God that he should be spared it would be his greatest pleasure to tell the world of all that I had done for him. But I observed that he was sadder and more depressed than I had ever seen him, and I think he had a prescience of his coming fate.

FRIDAY, *June* 2, 1871.—There has been a marvelous change in Paris within the last two or three days. While ingress and egress have been very difficult, and egress almost impossible up to the present time, the whole city is alive with people. The smoldering fires have been extinguished and the tottering walls pulled down. Nearly all the barricades have disappeared. They were everywhere in incredible numbers and strength; in the boulevards, in the avenues, on the by-streets—everywhere.

I have been in all parts of the city since the close of the bloody conflict. Yesterday afternoon I made my last round, going to Belleville, Père la Chaise, La Villette, Place de la Bastille, &c. I visited the celebrated prison of La Roquette. It was to this prison that the archbishop of Paris was removed from the prison of Mazas and I was curious to ascertain in regard to his last hours. Everything relating to the fate of this illustrious man must excite the deepest interest. By the courtesy of the officer in charge and of one of the old guardians of the prison, I was shown into the cell where the archbishop had been confined. The cell was even smaller than the one at Mazas, but higher up, better lighted, and more cheerful. He was taken from this cell a little before eight o'clock on Wednesday evening, the 24th ultimo. The curé of the Madeleine, the Abbé Deguerry, the Senator Bonjeau, and three other distinguished hostages were taken from their cells in the same prison at the same time, into the court of the building, and all were placed against the wall, which incloses the somber edifice of La Roquette. The archbishop was placed at the head of the line, and the fiends who murdered him, with their knives had scratched a cross upon a stone in the wall at the very place where his head must have touched at the moment when the fatal shots were fired. He did not fall at the first volley, but stood erect, calm, and immovable. Before the other discharges came which launched him into eternity he crossed himself three times upon his forehead. The other victims fell together. The marks of the bullets, made upon the wall as they passed through their bodies, were distinctly visible. The archbishop's body was afterward mutilated, his abdomen being cut open. All the bodies were then put into a cart and removed to Père la Chaise, which is but a few squares off, where they were thrown into the common ditch, from which they were happily rescued before decomposition had entirely taken place. Returning from La Roquette, I came by the "Archeviché," where the body of the archbishop was lying in state. He was so changed that I should scarcely have known him. Thousands and thousands of the people of Paris were passing through the palace to look for the last time upon him who was so endeared to them by his benevolent acts, his kindly disposition, and his love of the poor and the lowly. In all of the six or seven interviews I had with the archbishop in the prison, except the last, I always found him cheerful, and sometimes even gay, and never uttering one word of complaint. No man could be with him

without being captivated by his cheerful and Christian spirit and enlightened conversation. The archbishop was learned, accomplished, and eloquent, and was a most liberal man in his religious and political sentiments. He met his fate with the firmness of a Christian martyr, and all generous hearts will join in a tribute of mourning.

The losses of the insurgents have been fearful. Their entire military force has been either killed, wounded, or taken prisoners. The losses of the government troops are not known. Those of Douai's corps (one of the four corps who entered the city) are said to amount to forty officers and six hundred men killed and wounded. The number of prisoners of the government, soldiers as well as people charged with complicity with the Commune, is estimated at forty or fifty thousand, but this may be exaggerated. Arrests continue to be effected in great numbers, and where the thing is to end no one knows.

I have, &c.,

E. B. WASHBURNE.

No. 227.

Mr. Washburne to Mr. Fish.

No. 469.] LEGATION OF THE UNITED STATES,
Paris, June 21, 1871.

SIR: As a part of the history of the times, I have the honor to send you herewith a copy of a letter written by General Fabrice to the authorities of the Commune, in relation to the threatened invasion of my house by the insurrectionary national guards of Paris, and also copy of the reply of Paschal Grousset. This correspondence has been placed in my hands by Count Waldersee, the new chargé d'affaires of the German Empire at Paris. I send copies both in French and English. The history of the matter is this:

On Saturday, the 20th ultimo, about eleven o'clock in the morning, when I was writing a letter to General Fabrice on a matter of business, my female servant came rushing into the legation in a state of great terror and excitement, saying that the national guard had come to invade my house. She refused to open the doors, telling them that it was the residence of the American minister. They then became quite violent and said they would no longer respect my diplomatic character, and if they were not let in they would go at once and seek some more of their number and return and force an entrance. In the mean time the servant (having asked a neighboring concierge to take charge of the house, in her absence) started for the legation to advise me of what had happened. I immediately sent Antoine, the messenger of the legation, to the house with instructions to hold possession if possible until I could send word to the Commune authorities. At the same moment I sent a messenger to Paschal Grousset to demand protection, and he lost no time in sending it. It arrived before the soldiers had effected their entance, and my house was saved from pillage.

In concluding my letter to General Fabrice, I wrote as follows: "The condition of things here grows worse and worse daily. As I am writing my servant comes in to tell me that the national guard has come to invade my house, declaring they will not respect my diplomatic character. All the houses in the neighborhood have been pillaged." It seems that on the reception of my letter General Fabrice telegraphed

he Prince Bismarck, then at Frankfort, in regard to the matter, and he result was the correspondence inclosed. Grousset's letter to the genral is dated on the 22d of May, the day of the commencement of the eavy fighting. I never received from him any such letter as he reers to.

I have felt under very great obligations to the German authorities for he very prompt and emphatic measures taken in this matter, and I ave thought you might deem it proper to make some acknowledgment hrough Mr. Bancroft.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.—Translation.]

General Fabrice to Mr. Grousset.

SOISY, *May* 21, 1871.

The German Government was informed yesterday, May 20th, that certain national uards had invaded the house of the minister of the United States of America, declarng that they did not care for his diplomatic character.

This act, showing a total disregard of the rules of the laws of nations, raises an interational question. The right to demand satisfaction for this outrage belongs equally o all governments; but for the German Government this right becomes a duty, inasnuch as the minister of the United States has, during both the sieges of Paris, had the indness to charge himself with the protection of German interests in that city.

In consequence the undersigned calls upon the chiefs of power in Paris to deliver up mmediately to the German military authorities the national guards who have been guilty of the violation of the residence of Mr. Washburne.

In case satisfaction should not be given within twenty-four hours by the surrender of the guilty into the hands of the advanced posts at St. Dennis, the German Government reserves the right to take further measures in the premises.

In the name of the Chancellor of Germany.

DE FABRICE.

[Inclosure 2.—Translation.]

Mr. Grousset to General Fabrice.

COMMUNE OF PARIS, FRENCH REPUBLIC, COMMITTEE OF PUBLIC SAFETY,
Paris, May 22, 1871.

SIR: In answer to your letter of May 21, relative to the legation of the United States, the undersigned has the honor to make the following statements:

Notified on the 20th May, toward noon, of the presence at the legation of the United States of several national guards, ignorant of diplomatic rights and immunities, the undersigned immediately sent one of the employés of this delegation with a formal order to cause the sacred rights of a neutral residence to be respected, and to bring the guilty before a court-martial. The moment they received notice of this order they fled in all directions, without its being possible to recognize them.

The undersigned consequently finds himself unable to punish an act which he formally condemns. All the representatives of the foreign powers who have been in relation with him can prove this.

He has only been able to express to Mr. Washburne all his regrets and all his indignation in a letter addressed on the 20th of May to the legation of the United States.

He can only renew the expression of these regrets and of this indignation to the German minister whom Mr. Washburne temporarily represented.

The delegate of the Commune to foreign relations.

PASCHAL GROUSSET.

General DE FABRICE,
Minister of the German Empire at Headquarters, Soisy.

No. 228.

Mr. Washburne to Mr. Fish.

No. 467.] LEGATION OF THE UNITED STATES,
Paris, June 15, 1871. (Received June 29.)

SIR: Lieutenant-Colonel Count Waldersee, the new chargé d'affaires for the German Empire near the French government, arrived in Paris yesterday, and to-morrow will relieve me of the duties which I have discharged for the past eleven months, as connected with the protection of German subjects in France. He brought with him a letter from the Prince Bismarck, a copy of which I inclose herewith. I shall have the honor, at a subsequent time, of addressing you another and further communication upon this subject. I will only say that I feel great satisfaction in being relieved from the duties I have performed in this connection. I hope now to be able to leave for Carlsbad by the last of the present month.

I have the honor, &c.,

E. B. WASHBURNE.

[Inclosure.]

Prince Bismarck to Mr. Washburne.

BERLIN, *June* 13, 1871.

SIR: I have the honor to inform your excellency that, in order to restore the regular diplomatic intercourse between the German Empire and French Republic, I have appointed Lieutenant-Colonel Count Waldersee, the bearer of the present letter, chargé d'affaires at Paris, preparatory to the nomination of a representative of His Majesty the Emperor.

His Majesty has commanded me to convey to your excellency the grateful acknowledgment for the zeal and kindness you have devoted to the interests of the German residents under circumstances of extraordinary difficulty, and with corresponding sacrifice of time and personal comfort. I beg to add the reiterated expression of the sense of obligation I shall ever preserve for the uniform promptness and courtesy I have experienced from you in a business connection of nearly a twelvemonths' duration.

With sentiments of the highest consideration, I have the honor to be your excellency's obedient servant,

BISMARCK.

No. 229.

Mr. Washburne to Prince Bismarck.

LEGATION OF THE UNITED STATES,
Paris, June 19, 1871.

SIR: I had the honor to receive your letter of the 13th instant by the hands of Lieutenant-Colonel Count Waldersee. On the 17th instant I turned over to him the archives of the Prussian legation, which had been committed to my charge in the month of July, 1870. On the same day I surrendered up my charge connected with the protection of your countrymen and their interests for the period of eleven months. I shall send to Mr. Von Thile, with whom I have already corresponded on the subject, a full account of the moneys received and disbursed by me during the time I have been charged with your interests.

I beg leave to thank you for conveying to me the acknowldgements f His Majesty in respect to the services I have been able to render to our government during the time I have had the honor to act in its behalf. I beg your excellency to believe that the services I have been able o render have been given with a hearty good-will, and I am gratified to know that they have been satisfactory to the royal government. I shall ever cherish the pleasantest recollections of our official relation during he most extraordinary period of modern times.

I have the honor to be, &c.,

E. B. WASHBURNE.

His Excellency PRINCE DE BISMARCK,
&c., &c., &c.

No. 230.

Mr. Washburne to Mr. Fish.

No. 473.] LEGATION OF THE UNITED STATES,
Paris June 29, 1871. (Received July 13.)

SIR: As connected with the history of the insurrection and of the tragic fate of the archbishop of Paris, I have the honor to send you herewith, to go into the archives of the department, a copy of all the correspondence and papers in regard to the imprisonment of the archbishop, and the measures taken to obtain his release.

I have, &c.,

E. B. WASHBURNE.

[Inclosure 1.]

Archbishop Chigi to Mr. Washburne.

VERSAILLES, MONTREUIL, 2 *Rue de la Vielle Église, April* 18, 1871.

SIR AND MY DEAR COLLEAGUE: Permit me to request you confidentially to receive kindly the four ecclesiastical canons of the metropolitan church of Paris, who come to beg your protection in favor of their archbishop, imprisoned by the insurgents at Paris. Permit me to join my prayers to those of these good canons, and to assure you of my great gratitude for all that you think you can do to endeavor, at least, to obtain that the life of Monseigneur Darboy shall run no danger.

Receive, &c., &c.

FLAVIUS CHIGI,
Archbishop of Myre, Apostolic Nuncio.

SIR: The sad events which are passing in Paris have not failed to attract the attention of your excellency. Among other deplorable excesses to which civil war has given birth in this unhappy city, the arrest of monseigneur the archbishop, and of the principal members of his clergy, has been particularly remarked by the different representatives of the powers friendly to France. Relying upon this friendship and on the good relations which exist between the governments of the United States of America and our country, we, canons and members of the metropolitan chapter of the church of Paris, who have been able to meet together, take the liberty to beg your excellency to have the goodness to interpose your good offices, in such manner as you shall judge best, to obtain the deliverance of our archbishop as soon as possible; that the cause of humanity and of civilization may cease to suffer in his person, doubly respectable by his dignity and his merits—one of the greatest injuries he has ever received.

No political object being connected with this step, and placing ourselves solely on the ground of the laws of nations, and of the sympathy which so undeserved a treatment cannot fail to inspire, we dare to hope that your excellency will receive our movement favorably, and that you will do in this connection all that we could desire.

In this hope and this confidence, we have the honor to be, &c., &c., &c.,

E. J. LAGARDE,
Vicar-General of Paris, Archdeacon.
EN. BONNET,
Canon.
L. ALLAND,
Canon and Secretary.
LOUVRER,
Canon Penitentiary of the Diocese of Paris.

REPUBLIC OF FRANCE,
Paris, April 23, 1871.

Prefecture of the Police.—Cabinet of the Secretary-General.

(Seen the 23d April; 25th April; 9th May, and 10th May, 1871.)

We, member of the commune, civil delegate to the exprefecture of police, authorize the citizen Washburne, minister of the United States, and his secretary, to communicate freely with the citizen Darboy, archbishop of Paris.

RAOUL RIGAULT. [SEAL.]

Examined May 9, 1871.
The chief of the division.

EDWARD ERNAUD. [SEAL.]

[Inclosure 2.]

Mr. Washburne to Archbishop Chigi.

PARIS, *April* 24, 1871.

MY DEAR COLLEAGUE: I came into Paris Saturday night, and that very evening I arranged to meet one of the head men of the Commune yesterday morning, at 9 o'clock. I cannot do better than to send you an account of what was done, which I have written to my government. I send you, therefore, inclosed herewith, and *confidentially*, a copy of a dispatch I sent to Washington last night. After reading my dispatch I will thank you to inclose it to me, No. 7 rue de Mademoiselle, Versailles. I inclose herewith also a letter from the archbishop to the Abbé Lagarde. I shall hope to see you further in regard to the archbishop when I shall next be in Versailles.

Very truly, &c.,

E. B. WASHBURNE.

[Inclosure 3.]

Archbishop Darboy to Mr. Washburne.

I beg the minister of the United States to accept my thanks for the kind visit he has had the goodness to make me in my prison, and to send the inclosed letter to its destination by his secretary, who is going to Versailles.

The address of the person to whom it is written will be found through his excellency the apostolic nuncio, or the bishop of Versailles. If the person to whom the letter is addressed has already started for Paris, the secretary of the minister can destroy it, or bring it back on his return to Paris.

G. DARBOY,
Archbishop of Paris, from the prison of Mazas, April 23, 1871.

[Inclosure 4.]

The Papal Nuncio to Mr. Washburne.

Confidential.] VERSAILLES, MONTREUIL, *April* 25, 1871.

SIR AND DEAR COLLEAGUE: Truly I do not know how to thank you for all that you have had the kindness to do to aid the worthy archbishop of Paris. You have done more than I could have hoped, notwithstanding the confidence with which I was

nspired, knowing the sentiments of humanity and of pity of your heart, and the generous nation you represent so worthily in France; and I am sure that the steps you will take with the men into whose hands lies the fate of the Archbishop, will not fail to produce the most favorable result which it is possible to hope for under present circumstances.

I have read with great interest, and with sentiments of profound gratitude toward yourself, sir, the dispatches you have had the kindness to communicate to me in confidence and with reservation, and I hasten to send them back herewith, with all my thanks to the legation of the United States at Versailles, according to the direction in your honored letter of yesterday.

Colonel Hoffman has informed me that you will soon be at Versailles, and I have begged him to inform me of your arrival, that I may, without delay, call to express to you all my gratitude and my respect.

In the meantime please accept, for the present, the renewed assurance of my sentiments of gratitude, and of the distinguished and affectionate consideration with which I am, &c.,

FLAVIUS CHIGI,
Archbishop of Myre, Apostolic Nuncio.

[Inclosure 5.]

Archbishop Darboy to Mr. Washburne.

APRIL 28, 1871.

I beg his excellency the minister of the United States to receive the homage of my respect, and to have the goodness to send the inclosed letter to Versailles.

The address of Mr. Lagarde, in case the representative of his excellency does not know it, can be found either at the residence of the nuncio or at the episcopal palace at Versailles.

G. DARBOY,
Archbishop of Paris.

[Inclosure 6.]

Archbishop Darboy to Mr. Washburne.

AT MAZAS, *April* 28.

I beg his excellency the minister of the United States to receive the homage of my respect, and to have the goodness to permit me to have recourse to his kindness to send the inclosed letter to Versailles.

I shall be very grateful to him for it.

G. DARBOY,
Archbishop of Paris.

The address of Mr. Lagarde is, without doubt, known to the representative of Mr. *Washburne at* Versailles.
In any case it can be had from the Nuncio, or from the bishop of Versailles.

[Inclosure 7.]

Memorandum of the Archbishop of Paris.

"It is not known precisely what answer Mr. Thiers has given to the proposition made to him for the release of Blanqui, with a view to obtain in exchange the release of the archbishop of Paris, and of four or five persons held like him. The vicaire-general Lagarde, who went to Versailles to attend to this matter, has sent here only vague and incomplete reports on the results of this step, but as he does not return, it is believed that all hope of success is not lost.

"In default of precise information, it is conjectured that the government fears that it will appear to be treating with the Commune, if it accepts the proposed exchange, and in addition, possibly regards the liberation of Blanqui as dangerous, in the midst of the present excitement. Now, parties who are interesting themselves either for Mr. Blanqui, or for the archbishop, desire earnestly that the following considerations should be submitted to Mr. Thiers, who will appreciate them in his wisdom and humanity, and

it is believed they would have great weight if presented to Mr. Thiers by his excellency the minister of the United States.

"The question is not between the Commune and the government, but between the government and the parties above mentioned. The latter have arranged that the archbishop, and four or five other prisoners, to be designated by Mr. Thiers, shall be sent to Versailles, if they can have the assurance that Mr. Blanqui will receive his liberty. This assurance is to be guaranteed verbally by the minister of the United States, being verbally authorized by Mr. Thiers. As to the liberation of Mr. Blanqui, instead of ordering it officially, would it not be possible to accomplish it by allowing him the facility to escape, with the understanding, of course, that he will not be retaken unless it be for the commission of some new offense? In this manner the government would have nothing whatever to do with the Commune, some one, apart from the Commune, would receive the assurance given by Mr. Washburne, and all would be arranged.

"There could be no serious danger in liberating Mr. Blanqui, even in the present condition of things.

"The resistance of Paris is a military resistance entirely, and the presence of Mr. Blanqui could add nothing to it.

"The political and social ideas which are represented by the Commune are not in themselves, nor in their application, those of Mr. Blanqui, and if he should associate himself with the Commune it would not be a bond of union between the members which compose it, but rather a new element of discord.

"At all events it does not appear that a settlement of the present conflict will be brought about through the political or social theories or policy of the Commune, but only by the force of arms. It could therefore be no embarrassment if Mr. Blanqui were set at liberty, even though he should return to Paris. Whether he would do so or not is unknown.

"If it were known precisely for what reasons Mr. Thiers hesitates to act favorably upon the proposition of exchange which has been submitted to him, it might be possible to attenuate their force, and bring him perhaps to a better conclusion. Besides, he should not remain in ignorance that the life of the archbishop is seriously menaced. In saving him, Mr. Thiers, we believe, would give great satisfaction to the French clergy, and particularly to the episcopate."

Memo.—Written in the prison of Mazas, May 10, 1871.

E. B. W.

[Inclosure 8.]

The Papal Nuncio to Mr. Washburne.

VERSAILLES, MONTREUIL, *May* 12, 1871.

SIR AND DEAR COLLEAGUE: Mr. McKean handed to me this morning the letter you did me the honor to address to me yesterday, as well as the copy of the memorandum written by the archbishop of Paris, and I also received only a few days ago, through the post-office, and much behind time, the other letter which you also had the kindness to write me on the 29th of April, to which were joined two letters of M. Darboy for the Abbé Lagarde, to whom I handed them immediately. This morning I sent confidentially to Mr. Thiers the memoir of the archbishop, and I have begged of him a confidential reply, that I may send it to you to be delivered to M. Darboy, through your kindness. If I should receive the reply, as has been promised me, by three o'clock, I shall hasten to transmit it to you, begging you to make it known to monseigneur the archbishop. In the mean time, it is well that you should know how matters stand.

Mr. Thiers, having received some time ago the letter brought by Abbé Lagarde, submitted, first to the council of the ministers, and then to the commission of the fifteen deputies whom he has associated with himself, the question of the exchange of Blanqui on one side and the archbishop and four or five ecclesiastics on the other, and all unanimously refused their consent to such an arrangement. After this, Mr. Thiers declared that, notwithstanding the desire he felt to see the archbishop at liberty, as well as the Abbé Deguerry, who was his personal friend, he could not take upon himself to carry out the exchange. He added that Mr. Blanqui was to be submitted to a new trial, and if he was condemned to death, he, as President, would have the power to spare his life; but as for setting him free, above all before he was tried, he could not do it; this would be beyond his power as chief of the executive power. This reply, addressed to M. Darboy more than two weeks ago, was drawn up, and Mr. Lagarde was requested to carry it to the archbishop in a sealed envelope as it was. But Mr. Lagarde refused, and still refuses, giving as the motive of his refusal that he cannot carry a reply in a sealed letter to a letter which he brought unsealed. Thus the letter of Mr. Thiers remains still at the ministry "des cultes," and they are unwilling to send it except by Mr. Lagarde, who, on his side, does not wish to take charge of it.

Mr. Thiers desires also to assure me that he has the conviction that neither the life

of the archbishop of Paris, nor those of the other ecclesiastics who are at this moment in prison, are in danger.

For my part I do not share, I confess, the confidence of the President on this subject.

FOUR O'CLOCK.—I have just returned from the palace of the prefecture. Mr. Thiers read attentively the copy of the memoir of which I have spoken above, and he repeated, after mature reflection, the same observations which he made in his reply to the letter of M. Darboy. He decided not to set Blanqui at liberty, but apparently to spare his life if he should be condemned to death. This is all his powers permit him to do. Besides, it would never be possible for him to sanction an iniquity consisting in seizing hostages among distinguished people in order to set free scamps and culprits by lending himself to such plans of exchange, more or less covered up. He repeated the assurance that the life of the archbishop ran no danger whatever, and he ended by saying that in about two days the troops would be in Paris, and all danger would disappear.

This, my dear colleague, is the answer which I can give you, and regret with you that it is not more in accordance with the desire of the archbishop and with your charitable and generous design. In terminating, permit me to communicate to you, in accordance with the orders his eminence Cardinal Antonelli has transmitted to me, the sentiments of gratitude of the Holy Father the Pope, and of the cardinal, for all that you have done and all that you may do in favor of the archbishop, so unjustly

Accept, sir, also, with my sincere and affectionate thanks, the renewed assurance, &c., &c., &c.

FLAVIUS CHIGI,
Archbishop of Myre, Apostolic Nuncio.

[Inclosure 9.]

COMMUNE OF PARIS,
Paris, May 18, 1871.

Cabinet of the Procureur of the Commune.

The director of the Mazas will permit Citizens Washburne and McKean to communicate with the prisoner Darboy.

Permanent.

RAOUL RIGAULT,
Procureur of the Commune.

Examined the 21st May, 1871.

[Inclosure 10.]

Mr. Washburne to Archbishop Chigi.

PARIS, *May* 11, 1871.

MY DEAR COLLEAGUE: Mr. McKean, my private secretary, will call on you in relation to the archbishop. He will hand you a copy of a memorandum made by him on the subject of an exchange for Blanqui. I need not assure you that I shall be very glad to do anything that is proper in this matter—officiously, of course—to facilitate any arrangement that might be made. Mr. McKean visited the archbishop with me yesterday, and can explain to you fully in regard to him.

I have the honor to be, &c.,

E. B. WASHBURNE.

[Inclosure 11.]

Mr. Washburne to Mr. W. B. Norcott.

PARIS, *May* 11, 1871.

DEAR SIR: I sent to-day a copy of the memorandum of the archbishop of Paris, in regard to his being exchanged for Blanqui, to Monseigneur Chigi, and told him that I would gladly do anything which would be proper, but of course *officiously*. I think the archbishop put the question very fairly, and I hope his memorandum will be brought to the attention of Mr. Thiers. I can well understand the reasons the Versailles government might oppose to the proposition for an exchange, but it seems to me they might be got over in this case, where the life of such a man as the archbishop is in danger. The French Government could lose nothing in placing Blanqui in liberty, and by so doing would probably save the life of the archbishop. I consider his life in

the most imminent danger, and for that reason, and with a desire to assuage his sufferings in prison, I have been willing to lend all my good offices in the matter. In your visit to Versailles I hope you will be able to secure the consent of Mr. Thiers to the exchange. I believe the Commune have agreed to release several prisoners, including M. Beaujon, besides the archbishop, in case Blanqui could be put in liberty. That might be an additional consideration with Mr. Thiers.

I am, &c.,

E. B. WASHBURNE.

[Inclosure 12.]

Mr. Plou to Mr. Washburne.

His Excellency the MINISTER OF THE UNITED STATES *in France:*

SIR: I know what interest your excellency has shown in favor of Monseigneur Darboy, archbishop of Paris, and I know what gratitude the friends of the Catholic Church will feel toward you for it. Permit me, sir, in invoking this interest, to beg your excellency to take a step which will be, without doubt, of service to Monseigneur Darboy. The celebrities of the bar of Paris having left the capital, monseigneur has had the goodness to choose me as his counsel. I consequently asked of the Citizen Raoul Rigault, procureur of the commune, the permission required to visit him at the prison of Mazas. I have had two consultations with monseigneur. These interviews enabled me to take certain steps having a character of public interest, and I had hoped that they might be renewed from time to time, when the Commune of Paris suppressed all the permissions which had been accorded to visit the priest-prisoners, and authorized the Citizen Ferré, one of its members, to grant henceforth such authorizations as he should judge to be proper. Notwithstanding my earnest request to him, notwithstanding my character of counsel, which should have prevented a refusal—for a prisoner cannot be deprived, without barbarity, of advice of counsel—I have been able to obtain nothing from Mr. Ferré, who exhibits an unyielding severity. I have, therefore, the honor, appealing to my sincere devotion to monseigneur the archbishop (and without this being suggested to me by any one), to beg your excellency to consent to employ your great influence to obtain from Citizen Ferré the permission which he refuses me without giving any reason. I ask pardon of your excellency for importuning you in this manner, and I hope that you will excuse my indiscretion for the sake of the motive which dictates it.

I am, with great respect, sir, your obedient servant,

PLOU.

[Address:]
ETIENNE PLOU, *Jurisconsulte, Rue Ventadour, No.* 6.
PARIS, *May* 11, 1871.

No. 231.

Mr. Hoffman to Mr. Fish.

No. 503.] LEGATION OF THE UNITED STATES,
Paris, August 18, 1871. (Received August 31.)

SIR: I have the honor to forward to you herewith a copy of a letter received from Mr. de Rémusat, conveying the thanks of the agricultural society of Cher for aid sent from the United States to the farmers of that department.

The society expresses its thanks to the people of the United States, to the New York committee, and to Mr. Henry T. Parker, of Boston, who was charged with the distribution of the funds.

I inclose translations of the letter of Mr. de Rémusat, and of the proceedings of the society.

I am, &c.,

WICKHAM HOFFMAN.

[Inclosure.—Translation.]

Mr. de Rémusat to Mr. Hoffman.

VERSAILLES, *August* 16, 1871.

SIR: I have the honor to inform you that at its session of July 15 last the society of agriculture of Cher, which had been charged with the distribution of seed-corn to the farmers of that department, victims of war, voted its thanks to the United States of America for the succor which they had so generously sent to our rural population. You will find herewith an extract of the proceedings of the session of July 15, setting forth this vote.

I shall be obliged to you, sir, if you will convey to your government the sentiment of gratitude expressed by the society of agriculture of Cher.

I have, &c.,

RÉMUSAT.

[Translation.]

BOURGES, *August* 2, 1871.

Extract from the proceedings of the society of agriculture of Cher, of July 15, 1871:

The society of agriculture of Cher having heard the report of Mr. Amillon, one of the members, deeply touched by the proofs of the sympathy of the foreign nations who have come to the aid of our rural population, victims of the war, votes its thanks to the people of the United States of America, to the American committee of New York, to Mr. Henry T. Parker, who came to bring us the proofs of their sympathy.

A true extract.

AMILLON.

Seen and warmly approved by the vice-president of the society of agriculture, acting president.

AD. N. TAP, *President.*

No. 232.

Mr. Washburne to Mr. von Thile.

LEGATION OF THE UNITED STATES,
Paris, June 29, 1871.

SIR: I have the honor to send you herewith a statement of the amount of money I have received from the German Government, as charged with the protection of its citizens in France, and the account of expenditure in gross. As soon as copies can be made, I shall forward to you a statement in detail. It has been a matter of some labor to make out this detailed account, as the distribution was to a very large number of persons, and as the expenditures were from one franc upward. You will perceive by the account transmitted herewith that a balance of 32,402.60 francs remains in my hands, for which I inclose a check on Messrs. Rothschild & Co., Paris.

I should have sent a detailed account with this general statement, but copies of it cannot be made previous to my leaving Paris, on Saturday next, to visit the waters at Carlsbad.

As I desired to close my account before I left, I send you the brief statement without waiting for the more detailed one, which will be transmitted to you by my secretary, Mr. Hoffman, who will act as chargé d'affaires during by absence.

I take the present opportunity, &c.,

E. B. WASHBURNE.

His Excellency Mr. DE THILE.

Statement of account by Mr. Washburne to the North German Confederation.

1. List of cases of assistance in traveling from August 15 to September 16, 1870		29,190 [illegible]
2. Account of the Northern Railway for taking back to their country, August and September, 1870, 8,798 full fares, Paris to Herbesthal, at 10.85–11.85 francs	95,458 30	
462 half-fares, at 5.45	2,517 90	
		97,976 [illegible]
3. General list of succors distributed during the siege of Paris, from September, 1870, to June 16, 1871		105,087 [illegible]
4. List of cases of succor and assistance in traveling back to their country, from March 11 to June 16, 1871		17,346 [illegible]
5. Cab-hire August 10 to June 16		1,300 [illegible]
7. Sundry expenses and succors, August 9 to June 25, 1871		5,721 [illegible]
Total of expenses		252,537 [illegible]
Remaining on deposit at Rothschilds'		32,462 [illegible]
Total		285,000 [illegible]

Account-current opened at Messieurs Rothschild Brothers.

Paid on order in draft	257,341 [illegible]
Balance to credit	27,658 [illegible]
Total	285,000 [illegible]

LETTER

FROM

THE SECRETARY OF WAR,

IN RELATION TO

The Fort Fetterman military reservation, Wyoming Territory.

FEBRUARY 11, 1878.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT,
Washington City, February 8, 1878.

The Secretary of War has the honor to invite the attention of the United States Senate to the letter of his predecessor, dated December 16, 1872 (published in Senate Ex. Doc. 14, 42d Congress, 3d session), in regard to the Fort Fetterman military reservation, Wyoming Territory.

No action having been taken in the matter, he has respectfully to recommend that he be authorized to transfer to the custody and control of the Secretary of the Interior all of the said military reservation except twelve and a half square miles included within the limits of the existing reservation. He also requests like authority in case of the old timber-reservation, being no longer needed for military purposes, a new reservation having been declared for the purpose of supplying Fort Fetterman with wood.

GEO. W. McCRARY,
Secretary of War.

To the PRESIDENT *of the United States Senate.*

O

LETTER

FROM

THE SECRETARY OF THE NAVY,

TRANSMITTING

A copy of the record of the court of inquiry in relation to the wreck of the United States steamer Huron.

FEBRUARY 14, 1878.—Referred to the Committee on Naval Affairs and ordered to be printed.

NAVY DEPARTMENT,
Washington, February 13, 1878.

SIR: In my annual report to the President, under date of November 30, 1877, which was communicated to Congress, I alluded to the fact of the United States steamer Huron having been wrecked on the coast of North Carolina on the 23d of that month, and stated that a court of inquiry had been organized to investigate all the facts connected with that unfortunate event, and that I would make it the subject of a special communication to Congress when the result should be ascertained.

The court, so organized, composed of Vice-Admiral S. P. Rowan, as president, Rear-Admiral John Rodgers and Commodore R. H. Wyman, as members, and Naval Solicitor John A. Bolles, as judge-advocate, entered upon the investigation December 5, and concluded it December 17.

A copy of the record of the court is herewith transmitted.

As pertinent to the subject, I also transmit a copy of a letter from the commandant of the navy-yard at Norfolk, dated December 15, 1877, accompanied by the report of Lieutenant-Commander James G. Green, who was dispatched, in pursuance of orders of the department, with a party of assistants to the locality of the wreck of the Huron to bury the dead washed ashore.

Also a list of both the lost and saved officers and enlisted men of the Huron, and a report of the Chief of the Bureau of Steam-Engineering upon the construction and strength of that vessel.

I have the honor to be, very respectfully,

R. W. THOMPSON,
Secretary of the Navy.

Hon. W. A. WHEELER,
Vice-President of the United States and President of the Senate.

PROCEEDINGS OF COURT OF INQUIRY ON THE LOSS OF THE HURON.

Record of proceedings of a court of inquiry, convened by the Secretary of the Navy, by the precept hereto annexed and marked A.

NAVY DEPARTMENT.
Washington, Wednesday, December 5, 1877.

The court met at 11.15 a. m. Present, all the members, viz: S. C. Rowan, Vice-Admiral and president; John Rodgers, rear-admiral, and R. H. Wyman, commodore, members; also, the judge-advocate, John A. Bolles, naval solicitor.

The said precept was read and also the orders of detail and appointment of the several officers composing the court and of the judge-advocate; and copies of said orders are hereto annexed and marked, respectively, B, C, D, and E.

The judge-advocate then administered to the members of the court the oath prescribed by law, and then the president of the court swore the judge-advocate according to law.

The court, with closed doors, then inspected the precept and orders aforesaid, and having so done proceeded with open doors to take testimony in conformity with the instructions contained in the precept.

The first witness called and examined was Rear-Admiral TRENCHARD, United States Navy, who, being first duly sworn by the president of the court, was interrogated and answered as follows, viz:

1st question by the judge-advocate. State your name and rank and what was your command on the 23d day of November last.

Answer. Stephen D. Trenchard, United States Navy; rear-admiral. I was in command of the North Atlantic station at Hampton Roads.

2d question by the judge-advocate. Was the United States steamer Huron at that time a part of your command, and where was she on that day?

Answer. Yes; she was at anchor at Hampton Roads.

3d question by the judge-advocate. Who was her commander?

Answer. Commander George P. Ryan, United States Navy.

4th question by the judge-advocate. What official communication, if any, did you have with Commander Ryan that day?

Answer. He signaled during the afternoon for permission to go to sea. The reply was, "Use your discretion." He sailed soon after, during that afternoon.

5th question by the judge-advocate. What was the weather that afternoon?

Answer. Very mild; nearly calm.

6th question by the judge-advocate. When did the Huron arrive at Hampton Roads from New York?

Answer. The previous Saturday. She was detained by order of the department for the draughtsman.

7th question by the judge-advocate. Did you send an inquiry to Commander Ryan the day he sailed, as to the arrival of the draughtsman?

Answer. Yes.

8th question by the judge-advocate. Was this before or after he signaled for permission to go to sea?

Answer. Before.

9th question by the judge-advocate. Was the order of detention spoken of in your sixth answer transmitted through you?

Answer. Yes.

10th question by the judge-advocate. State any other matter within

our knowledge that relates to the movements of the Huron on the day he sailed.

Answer. She passed the flag-ship going out, apparently under easy team. The water was very smooth and the weather favorable. The barometer had averaged 29.75 inches for about twenty hours.

The judge-advocate proposed no further question.

1st question by the court. From your knowledge of the Huron, was he a thoroughly-equipped and a staunch, seaworthy vessel in every particular?

Answer. Yes; she had been quite recently inspected by the board of quadron inspectors appointed by me, and with very satisfactory result.

2d question by the court. Have you any knowledge whether the Huron, during her stay in Hampton Roads, used any means to ascertain he correctness of her compasses?

Answer. I had not. She had not swung ship.

3d question by the court. Is there any weather-signal station at Hampton Roads?

Answer. None nearer than Norfolk.

4th question by the court. What cruises did the Huron make from he time she was commissioned to the date of sailing last from Fortress Monroe?

Answer. She made one cruise before and two after I took command. The two last were, first, to Barbadoes, Anacoa, Aspinwall, Mobile, Port Royal, and back to Hampton Roads; and, second, from Hampton Roads to New York, to be docked and receive a new propeller, and thence to Hampton Roads, as I have already stated, the Saturday before she last sailed.

No further questions were proposed to the witness. The record of his evidence was read aloud, and he asked to amend his answer as to the Huron's detention by inserting the words "for three days" at the end of that answer; and, also, to add the word "Trinidad," before the word "Curaçoa," in his last answer.

As thus amended he affirmed the correctness of the record, and withdrew from the court.

The judge advocate then put into the case as evidence three charts and one pamphlet catalogue of charts from the Bureau of Hydrography, which are marked, respectively, F, G, H, and I, and are appended to this record.

The judge advocate then called as witness WM. P. CONWAY, master, United States Navy, who was duly sworn by the president of the court, and then was interrogated and made answer as follows, viz:

1st question by judge advocate. State your name and rank, and to what vessel you were attached, and in what capacity, on November 23, 1877.

Answer. William P. Conway, master, United States Navy. I was attached to the United States ship Huron, as watch-officer.

2d question by the judge advocate. State all the facts within your knowledge in regard to the Huron on the day she last sailed.

Answer. She sailed from Hampton Roads about 10 o'clock a. m., November 23; passed Cape Henry between 1 and 2 o'clock p. m. that day. Just after passing Cape Henry a departure was taken, and the course was south by east one-quarter east, a half point westerly of local deviation, not including the variation of the compass. At 6 o'clock p. m. I went on watch and took charge of the deck. The ship was then steering

the above-mentioned course and making six and a half knots under steam, with jib, fore and main trisails and spanker.

Currituck light was then from one-half to a whole point forward of the starboard beam. It bore exactly on the beam at half-past six o'clock, distant seven or eight miles. The jib-stay, soon after six o'clock, carried away. We secured the sail and set the fore storm stay-sail; took in spanker; put a single reef in fore trisail, and a double reef in the main trisail. At a quarter before seven o'clock the lead was cast, and found about fourteen fathoms. The quartermaster gave the sounding as fifteen fathoms. Mr. Palmer, the navigator, asked me if the line was up and down. I answered, "A little off on the beam, and should allow about one fathom."

In sounding, the Huron luffed up on the port beam for about five minutes. After that, Mr. Palmer told me that this sounding agreed with the course and the bearing of Currituck light.

The reefs of which I spoke were not taken in till about eight o'clock. At eight o'clock the Currituck light was on the starboard quarter. I left the deck at eight o'clock, at the end of my watch. Master J. N. Wight relieved me. The ship was then going five and a half knots, with steam and sail close on the wind; the sails were one-third in the wind on the port tack, and steering the same course. The wind then was, and during all my watch had been, about east-southeast, with a force of seven to eight. The barometer had, for three hours, indicated 30.04 inches. I went into the cabin at eight o'clock, and saw the chart on the table, and Commander Ryan standing by. I looked at the charts, and Commander Ryan remarked that that course ought to take the ship far enough out, and said he was afraid if he steered farther out he would get into the Gulf Stream, as he had done last fall in going to Port Royal. He spoke of not turning in till he made Hatteras light, or daylight; and afterward he said he thought the safest plan would be to put her head off-shore and turn in. I remarked that he would not be able to sleep if he did put her head off-shore, as there was a heavy sea, and we should be running into it.

After that I went below, and was on deck again about half past ten o'clock, and Currituck light was then about one or two points on the starboard quarter, just visible as the ship rose on the waves. I then went below and turned in. I was awoke by a heavy shock. Thought at first it was a collision with another vessel, as I heard the water rushing over the rail. At the next thump I knew the ship was ashore, and heard some one say so, and heard some one on deck sing out, "Hard a-starboard." I went on deck as quickly as possible. Found the ship on her port bilge, inclining about 40°.

Mr. Simons, the executive officer, gave orders to batten down the hatches and throw the guns over. The captain gave orders to lower the sails. I went forward to my station, when all hands were called, after those orders, and assisted in getting down the fore trisail. The sea was then coming over so that I could not stand on the port side of the main deck. It was dangerous to stand there. We got the trisail down and covered the hatch with it, as well as we could. After that I went aft to ask the captain if we should cut away the masts, as was suggested to me by the chief boatswain's mate. He said, "Yes; but not just now." I then went to the starboard gangway, and saw what I considered to be beach-land. About that time I asked Mr. French, who had been on watch, what was the time, and he answered, "About one-quarter of two o'clock."

When the ship keeled over, the port boats were all carried away.

Then the main gaff came down, it knocked an awning-stanchion through he starboard cutter. After seeing what I thought was land, I asked he captain if we could not get a line ashore. He said, "Yes; lower the utter and try it." We got the cutter down—the same I have spoken of; e had but one—and made a line fast to it, and I called for volunteers o go with me in the boat. Several said they would, and started to get nto the boat.

Previous to this there was a report that there were two rocks ahead. he captain asked me where. I told him, "Ashore, ahead of the ship," nd he went to the gangway and asked where the shore was. I showed im, and he said, "My God! how did we get in here?" Some officer nd others standing round said it was not the shore; that there was nooth water inside the reef. It was thick, the spray flying so that we ould not see clearly. I went forward on the forecastle to make out if were land or not, and in a few minutes the boat swamped. We had ad to cut the stanchion out four or five inches above the water-line. Then she swamped there were no men in her. I did not go aft again, nd I heard Mr. French sing out, "Cut away the masts." He had the atch when she struck. They cut the starboard lanyards of the fore-igging, and the mast fell on the port side, fell to windward, carrying ith it the jib-boom and main topmast.

I told men to go down and get up the bolsa. They found the hoops nd the barrels, but said they could not find the bellows to blow it up. also had the lights on the berth-deck put out, for fear of fire. Not eing able to do anything further, I got down on the forecastle-rail with lot of the men. No one thought we should lose our lives, but that the hip would be lost and that at daybreak we should all get off.

Some time after this some of the officers and men came forward, and thers went into the main rigging. Later I moved out on the bowsprit. o one had then been lost or drowned, as far as I knew. This was be-ore daylight. The waves were then breaking clear over the ship, and was difficult for any one to hold on. I soon noticed that the water as getting higher on the ship, and supposed it was flood-tide. When e vessel first keeled over the water was not quite, but almost, flush ith the top of the rail.

Just before daylight the men began to be swept from the forecastle. bout 7 o'clock a. m., as near as I could judge, I asked a man to ive me a life-preserver he had, and I would try to swim ashore and get ssistance. He answered that he would not give it to me, as he could ot swim. At this time I am not certain that any one had got ashore. Everything that got adrift seemed as if floating out to sea. Finding fter this I could not hold on much longer, I allowed myself to be ashed off and swam ashore. Two or three of the men left at the same ime. I don't know what officers and men were left on the ship. The unch was washed away before I left, and I was told that Lieutenant almer and Commander Ryan were in it. Ensign Young and seaman Antone Williams had previously left on the bolsa. I was about five inutes in the water, and then struck the beach and was hauled out by ome fishermen, two of whom carried me, holding by each arm, up to a ut. I met Mr. Young as I was going towards the hut. At the hut I ound several men, who gave me some of their clothes, as I had nothing n when I reached the shore. I was naked when I was washed over-oard.

I then started up the beach and met Mr. Young again, and he told me here was a life-saving station about three miles down the beach, which he fishermen did not dare to break open. I told Mr. Young to take

some of our men and go and break it open and get the mortar and lines while I went up the beach and tried to assist any from the ship who were trying to swim ashore. The undertow was so strong that no one who was at all exhausted could get through it. When Mr. Young got back no one was living on the ship. He brought up the mortar in a cart, but no use was made of it. Mr. Denig, Mr. Warburton, and some men came ashore after I did, and eight dead bodies washed ashore that day.

The fore and main mast went over the side some time before Mr. Young got back from the life-saving station. No one was in the rigging when the masts went over. At night the men went to the life-saving station, and the officers to the house of Sheriff Brinkley. Next day about twelve o'clock we received assistance from Norfolk. The Powhatan, the Swatara, the Fortune, and the wrecking steamer B. & J. Baker had arrived, but could not land because of the surf. A boat from the B. &. J. Baker attempted to land between 3 and 4 o'clock, p. m., but capsized, and four men were drowned.

That evening we, the survivors of the Huron, with the bodies that had come ashore, proceeded to Norfolk, where we arrived the next morning.

3d question by the judge-advocate. What was the weather when the Huron left Hampton Roads?

Answer. Cloudy; with moderate breeze, and clear.

4th question by the judge-advocate. What was it when you took your departure and course beyond Cape Henry?

Answer. About the same.

5th question by the judge-advocate. How was it at the end of your watch, at 8 o'clock p. m.?

Answer. Rather clear; overcast; fresh gale blowing.

6th question by the judge-advocate. How was it when you came on deck, at 10.30 o'clock p. m.?

Answer. Squally and rainy; rather, but not much, misty and hazy.

7th question by the judge-advocate. When you came on deck after the ship struck, was her engine working?

Answer. Yes; but I cannot say how long it continued to work.

8th question by the judge-advocate. When you left the Huron, was she broken, or what was her condition?

Answer. The only thing broken was her hammock-rails. They were carried away.

9th question by the judge-advocate. State, if you can, anything further that was done, on the Huron or ashore, to save her or her officers and men.

Answer. I know of nothing else.

10th question by the judge advocate. Were any of the guns thrown over?

Answer. No, sir.

11th question by the judge advocate. Do you know why not?

Answer. No, sir; though the reason why the eleven-inch gun was not thrown over was the fear that it would break the side of the ship, and it would have been dangerous to attempt it.

The judge-advocate had no further questions to propose, and the court, at half past three o'clock, adjourned to to-morrow, Thursday, December 6, at 10.30 a. m., at which time the witness was directed to appear for further examination by the court.

JOHN A. BOLLES,
Naval Solicitor, Judge-Advocate of the Court.

NAVY DEPARTMENT, *December* 6, 1877.

The court met pursuant to adjournment. Present, all the members ıd the judge-advocate.

The record of yesterday's proceedings was read and approved.

Master WILLIAM P. CONWAY was then recalled and examined by the urt, and testified as follows, viz:

1st question by the court. You stated that when the Huron took her parture the deviation of the compass was one-half point westerly on e course south by east one-quarter east. How do you know this?

Answer. Lieutenant Palmer, the navigator, told me so.

2d question by the court. When was the local deviation of the stand-d compass of the Huron last determined?

Answer. I think in New York, by Lieutenant Palmer, after the Huron me out of dock, just before leaving for Norfolk the last time.

3d question by the court. During the cruise of the Huron to the ıribbean Sea, were there any special errors discovered in her com-ısses?

Answer. Yes; the deviation there was less than in New York.

4th question by the court. Look at the chart on the table and see hether it is like the one you saw at 8 o'clock p. m. on the table of the uron?

The witness looks at chart No. 5, and says, "I think it is."

5th question by the court. Did the engines of the Huron work well, ıd how long were they running after the vessel struck?

Answer. I don't know.

6th question by the court. After grounding, was everything possible ne to insure the safety of the crew?

Answer. I cannot answer that, for I do not know.

7th question by the court. Did you regard the gale as a serious one efore going on shore, and did it at all prevent the free navigation of ıe vessel?

Answer. No, sir; I was not alarmed about the gale at all.

8th question by the court. You state that the sails were one-third in ıe wind. Do you mean to convey the idea that the sails were lifting, nd did you keep the ship off her course to keep the sails full?

Answer. The sails were lifting, but the course was not changed.

9th question by the court. Why did you not take the sails in if they id not draw?

Answer. The spanker was taken in on that account. At times the ther sails did draw.

10th question by the court. Did the crew and officers behave well after he vessel grounded and give evidence of good discipline?

Answer. Yes; I saw nothing to the contrary. All behaved well.

11th question by the court. When you hove the lead you found it ended on the weather-beam. Did there seem to be much drift toward he shore?

Answer. No; none.

12th question by the court. Was the log or the steam-log of the Hu-on, or any, and, if any, what, of the papers saved?

Answer. Some of the paymaster's papers, and, I think, the steam-log; ut am not sure.

13th question by the court. To what cause do you now attribute the oss of the Huron?

Answer. To a current, or set of the sea, that put the ship in toward he shore; and, also, to thick weather that prevented seeing the lights.

14th question by the court. Were the cables bent and the anchors ready to let go during the night of the 23d?

Answer. The chain-cables were unbent.

15th question by the court. How far from the shore do you now believe the Huron grounded, and how far from it were you when you first saw it in the morning?

Answer. She first struck a quarter of a mile from shore, I think. When I first saw it in the morning, it was about two hundred and fifty yards distant.

16th question by the court. During the time in which Currituck light was in sight, were careful bearings taken of it?

Answer. I am unable to say.

17th question by the court. Was paragraph 145, page 51, Navy Regulations, complied with in all respects?

(The paragraph referred to reads as follows: "On approaching land or anchorage of any kind, he (the commander of the vessel) will have the cables bent. When going into a port or harbor, or approaching shoals or rocks, whether with or without a pilot, he will cause soundings to be taken; and will, when on soundings, have casts of the lead taken frequently and noted on the charts.")

Answer. Yes, though I only know of one sounding taken; but I have heard that others were taken during the first watch, and that one was taken about one o'clock, just before we struck, and that ten fathoms were then reported.

(The witness then marks, in red ink, on the chart No. 5 the spot where he thinks the Huron struck.)

18th question by the court. Was paragraph 56, page 41, of the Navy Regulations, complied with?

(Paragraph 56, page 41, reads as follows: "He will keep an order-book, in which will be entered all orders given to the officer of the deck for his government during the night.")

Answer. I can't say as to that night, but I never knew Commander Ryan to omit it.

19th question by the court. Who had charge of the deck when the ship struck?

Answer. Master W. L. French, who was lost.

20th question by the court. Is any one of the quartermasters of the Huron living that had the first watch on the night the ship struck?

Answer. No, sir; all the quartermasters were lost.

21st question by the court. Who are the surviving officers of the Huron?

Answer. Myself, Ensign Lucien Young, Assistant Engineer Robert G. Denig, and Cadet Engineer E. T. Warburton.

22d question by the court. Do you know whether bearings to Currituck light and assumed distances from it were used to plot the place of the vessel?

Answer. I do not positively know, but I think they were.

23d question by the court. Were all practicable means taken to save the ship and the lives of the officers and crew after the vessel had grounded?

Answer. Yes, sir.

24th question by the court. Was the Huron, in your judgment, a thoroughly sea-worthy and well-equipped vessel?

Answer. Yes, sir.

No further questions were proposed to the witness. The record of his

stimony was then read to him by the judge-advocate, and pronounced rrect. The witness then withdrew.

Rear-Admiral Trenchard then asked permission, and was allowed by e court, to amend his yesterday's testimony as follows, viz:

"I desire to correct my answer of yesterday to the 4th question of the dge-advocate, by stating that since yesterday I have consulted my gnal-record and a copy of the log of the Powhatan, from which it ppears that the signaling between me and Commander Ryan comenced at 1 o'clock p. m., November 22, and ended at a quarter past) a. m. on the 23d, when Commander Ryan asked permission to get nder weigh. The Huron did get under weigh at that hour."

The record of this amended statement was read to the witness, and y him pronounced correct. The witness then withdrew. The judgedvocate then introduced and read in evidence two documents which re hereto annexed, and marked, respectively, J and K. The court then djourned to to-morrow at 10.30 a. m.

JOHN A. BOLLES,
Naval Solicitor, Judge-Advocate.

NAVY DEPARTMENT,
Friday, December 7, 1877—10.30 a. m.

The court met pursuant to adjournment. Present, all the members nd the judge-advocate.

The record of yesterday's proceedings was read and approved. Master CONWAY was then recalled and further examined by the court, and estified as follows, viz:

25th question by the court. Were the proper lookouts stationed and rere the regular lights properly burning during your watch?

Answer. Yes, sir.

26th question by the court. Did the ship strike frequently and heavly after grounding?

Answer. Yes; she was striking for two hours, the latter part of the ime easily.

27th question by the court. Was paragraph 4, page 58, of the Navy Regulations, fully complied with?

(The witness examined that paragraph.)

Answer. I do not know as to the lead-lines. The log-lines and the glasses also were attended to, and they were very careful about the compasses. I think that I myself, just before leaving New York, marked the log-line that was used by the Huron the night she grounded.

28th question by the court. Were not the breakers heavy when you struck, and were they not heard before striking?

Answer. Yes; they were heavy when the Huron struck, but I did not hear them before that.

No further question was asked. The record of his answers being read to the witness, he pronounced it correct and withdrew.

The judge-advocate then called Assistant-Engineer R. G. DENIG, who was then duly sworn by the president of the court, and, being examined, testified as follows, viz:

1st question by the judge-advocate. Please state your name and rank, and inform the court to what ship you were attached November 23, 1877.

Answer. Robert G. Denig, assistant engineer. I was attached to the United States steamer Huron.

2d question by the judge-advocate. How long had you been attached to her?

Answer. Ever since she went into commission November 15, 1875.

3d question by the judge-advocate. When did the Huron last leave New York and when did she reach Norfolk?

Answer. She left New York November 15, 1877, and arrived at Norfolk November 17.

4th question by judge-advocate. When did she sail from Hampton Roads?

Answer. November 23, after 10 o'clock a. m.

5th question by the judge advocate. What was the state of the weather?

Answer. Cloudy, lowering, and misty, with a light wind.

6th question by the judge-advocate. What was the weather after you rounded Cape Henry?

Answer. When I went on watch at 4 p. m. it was cloudy, and there was a stiff breeze on the port bow.

7th question by the judge-advocate. How long were you on watch?

Answer. Four hours; from 4 p. m. till 8 p. m.

8th question by the judge-advocate. Did wind or weather change materially during those four hours.

Answer. Yes, the weather became worse; there was a higher sea and a stronger wind. At eight o'clock I logged the ship as rolling from five to twenty degrees to leeward. The engines were racing slightly. The throttle was kept at three and a half holes. It was unnecessary to close the throttle at each racing of the engine. Eight holes would have been wide open.

9th question by the judge-advocate. How did the engines work up to eight o'clock p. m.?

Answer. Perfectly well.

10th question by the judge-advocate. State what occurred after that.

Answer. I then, at eight o'clock, went on deck and found them reefing sails. They had taken soundings at six o'clock and fifty-five minutes. The engine was then stopped four minutes for that purpose, the time ordinarily taken—in three to four minutes. I do not remember what that sounding was. A quarter before nine o'clock I turned in.

11th question by the judge-advocate. What next occurred?

Answer. I heard the engines stopped more than once to take soundings; at the end of each hour, I think. At 1 o'clock a. m. they took soundings. I had not left my berth during that time. I heard Master French, the watch-officer, report ten fathoms to Commander Ryan at the cabin-door. Four bells were then struck as signal to the engines to go fast, and I heard Lieutenant Palmer, the navigator, give the order, "Let her go off a point." I think she struck before she would have minded her helm. The captain gave the order "Hard down" about as she struck. All this happened within about two minutes.

By the time she struck the third time I was in the engine room. The engine was still working, and with the throttle wide open, and more than fifty pounds of steam on. Chief-Engineer Olson followed me immediately into the engine-room, and Cadet-Engineer Warburton a few minutes later. Cadet-Engineer Loomis was in charge of the engine-room. After the ship bumped a few times, the engine was stopped by a signal from the deck. Lieutenant Palmer came to the hatch and asked, "Can you back her?" The chief engineer answered, "We can."

ter this he went to the top of the hatch and asked, "Shall we back r?" The engine was idle about a minute. A signal then came to ack her." The engine then, and always, backed readily and very it. She continued to back until about two o'clock—nearly an hour—ien the engines stopped of their own accord. The steam-gauge then gistered more than forty pounds.

When I first came into the engine-room I heard the order to "batten wn the hatches." It was then impossible to batten down the engine-om hatch, because the main gaff and main trysail had fallen over it. assisting to partially cover the hatch with a tarpaulin, I was on deck d found Master Wight making an effort to dismount the nine-inch n, which was near the hatch. It was the port gun. I gave him a oment's assistance. He was holding on by one hand and with the her taking a turn out of the fall. I then returned to the engine-room. ie tops of heavy seas were then coming through the hatch into the gine-room. The ship was heeled over about thirty degrees to the indward and off shore.

To clear her from water, Chief Engineer Olson gave the order, "Put i the bilge-injection." I did this myself, and closed the outboard in-ction. Two Blake pumps were put on the bilge for the same purpose. oth pumps worked well. The vacuum in the condenser was more than teen inches. The Blake pumps were five feet above the floor of the igine-room. All the water, so far, had come down the hatch, and the imps would, at that time, clear the ship of water. The pumps took ie water from above the false bottom, which extended five feet above ie base-line of the ship, and the greatest depth of the false bottom was ghteen inches. The doors of the coal-bunkers on the starboard side urst partially open, and the fire-room was being constantly filled with oal. A man was stationed at each stop-valve of the boilers to close iem in case of any serious accident to boilers or steam-pipe. That osition was one of danger, but the men staid there.

From the time the ship heeled over, it was impossible to ascertain the eight of water in the boiler. Chief Engineer Olson spoke a word of ncouragement to the men and ordered good fires to be kept under the oilers under all circumstances, unless it became absolutely necessary o haul the fires. There were three machinists and about fourteen men i the engine-room and fire-room during all this time.

At each thump of the ship her bottom buckled inward, and each time pparently resumed its original form. I heard several loud cracks, as f some portion of the engine-frame were breaking; but the engine still ontinued to work, backing all this time. The boilers on the starboard ide were much shaken and gradually shifting to port, up to the time hen the engine stopped. We discovered no breakage at all about the oiler or engines. The propeller-shaft had a coupling at each end, which ould allow the shaft to be somewhat out of line and still the engine ould work. The engine probably stopped because of the shoal depth f water the ship was in. There was steam in four of the five boilers. After the engine stopped we made attempts to start it again. The pumps were still kept on the bilge. The outboard delivery-valve of the main engine was closed tight, shut by a machinist. The boilers showed such a tendency to shift, to carrying away, that Chief Engineer Olson asked permission to haul the starboard fire.

I reported the engines stopped to Master French, officer of the deck. At 2.15 a. m., by Commander Ryan's permission, all fires were hauled, and the order passed, "All hands on deck."

Previous to this the whistle was blown as a signal of distress, and it

continued to blow till some time after I had left the engine-room, and probably until all the steam was out of the boiler.

When I left the engine-room, a few moments after the fires were hauled, the ship had not, apparently, sprung a leak, though several feet of water were banked up on the port side of the engine-room.

I passed through the engine-room twice after this, and the water was gradually rising, though not apparently from leak. Several men were in the engine-room. Cadet-Engineer Loomis was stationed at the throttle-valve all this time. Most of the time I was in the lower engine-room and the fire-room. Chief Engineer Olson gave his orders from the engine-platform. I then went on deck and remained in Commander Ryan's office until the ship bilged. This was after half past three o'clock. During the latter part of the time that I was in his office, he and Chief Engineer Olson, Surgeon Culbreth, Lieutenant Simons, Paymaster Landers, Cadet-Engineer Loomis, and Draughtsman Evans were all there with me. Lieutenant Palmer and Ensign Young were in the after cabin burning signals. Master Conway and Ensign Danner I did not see after the ship struck, and I saw Masters Wight and French but once. Lieutenant Simons was constantly passing from the deck to Commander Ryan and back.

When the ship bilged I went to the mizzen rigging, and saved myself by swimming ashore after staying till about nine o'clock. When I left the ship the poop-deck and cabin were completely washed away. The hammock-netting, most of the deck of the topgallant forecastle, the port-sills, and considerable inside wood-work were carried away. The main-mast and mizzen-mast, the smoke-stack, and the starboard gun were still in place. A few moments after I reached the shore the main and mizzen masts and the smoke-stack were gone.

I will now state what I heard said while I was in Commander Ryan's office. I heard the barometer reported as having stood at 29.92 some time before one o'clock. Twice I heard it reported as being above 30 while I was in the office. Commander Ryan sent to the officer of the deck, asking if the ship's log had been saved. Search was made for the log, but the office in which it was kept was full of water and it could not be found. I had heard Commander Ryan, when the Huron first struck, sing out to Mr. French to save the log. In the office I heard Commander Ryan say that we were probably ashore on Nag's Head. He asked Lieutenant Simons if he had given the order to cut away the foremast. It had then been cut away. He answered, "Yes, sir; I gave the order to 'stand by,' as you directed, and they probably understood me to say, 'Cut it away.'" Commander Ryan said, "It is all right, for I intended immediately to give the order."

The second whale-boat hung in its davits until after daylight and was then carried away. The launch and dinghy were carried away at early dawn. There were in the launch several men with Commander Ryan and, I think, Lieutenant Palmer when she was carried away. I saw her stove. She fell stern first and hung by one davit at the other end, to which davit two men clung until they were drowned. The steam-log was lost. The fragments of the boats washed up on the beach. The temperature of the water at midnight was 59°.

The Huron drew about 11½ feet forward, and about 13 feet 2 inches aft, when she went to sea. The diameter of her screw was 12 feet.

12th question by the judge-advocate. When the Huron sailed, November 23, 1877, was she staunch and seaworthy, her engines and machinery in perfect order, and her equipment complete?

Answer. Yes, sir.

13th question by the judge-advocate. What was then the condition of er hull?

Answer. As good as new, I should say; thoroughly staunch and strong.

The judge-advocate asked no further questions. The court continued ie examination, as follows, viz:

1st question by the court. When the launch was carried away were ıy of the crew still on board the Huron?

Answer. Yes, sir; more than one-half.

2d question by the court. Was there, to your knowledge, any disposi-on made for saving the crew, or any order given for the officers and ew to save themselves if possible?

Answer. I heard that efforts had been made to send the cutter ashore, ıd that Mr. Young was to make an effort to get a line ashore; but I ad no knowledge of either.

3d question by the court. Have you any knowledge of the courses eered by the Huron from the time of taking the departure to the time f her striking?

Answer. Yes; I looked at the compass and it indicated east of south, bout south by east.

4th question by the court. Do you attribute the loss of the Huron to ıess of weather, or to lack of efficiency in hull, machinery, or appoint-ıents?

Answer. The machinery and hull were both sufficient and efficient. ıs to the weather, the ship, being under steam, was at liberty to go here the commander pleased.

5th question by the court. After you came on deck, was any measure ossible to save the crew, or was nothing possible?

Answer. Nothing was possible.

6th question by the court. What speed, under the circumstances of ind and weather, with fifty pounds of steam, would three and a half oles of the throttle give the ship?

Answer. Five knots.

7th question by the court. During the time the Huron was aground ere the officers and crew collected and attentive to orders, and did the iscipline remain efficient to the end?

Answer. Yes, sir.

8th question by the court. Do you know when the Huron was last wung for the purpose of correcting the compass?

Answer. I think she was swung in New York last November.

No further questions were proposed to the witness. The record of is evidence was read to him and by him declared correct, and he then ithdrew.

The court then adjourned to to-morrow, December 8, at 10.30 a. m.

JOHN A. BOLLES,
Naval Solicitor, Judge-Advocate.

NAVY DEPARTMENT,
Saturday, December 8, 1877—10.30 a. m.

The court met pursuant to adjournment. Present, all the members nd the judge-advocate.

The record of yesterday's proceedings was read and approved.

Ensign LUCIEN YOUNG, United States Navy, was then called as a ritness, was duly sworn by the president of the court, and was inter-ogated and made answers as follows, viz:

1st question by the judge-advocate. What are your name and rank, and in what capacity were you on the Huron in November last?

Answer. Lucien Young; ensign, United States Navy; and watch-officer.

2d question by the judge-advocate. How long had you been attached to her?

Answer. Nearly two years.

3d question by judge-advocate. When did she last sail from Hampton Roads?

Answer. November 23, 1877, between 10 and 11 o'clock a. m.

4th question by judge-advocate. What was then the wind and weather?

Answer. The wind was about five or six in force, and was steady in both force and direction at our departure and outside. It was overcast and slightly misty. We couldn't see objects very far off, but could see the sails of vessels whose hulls were down.

5th question by judge-advocate. State all the facts in your observation and knowledge in regard to the Huron, from her sailing till you left her, and the scene of her disaster.

Answer. I had the watch from 12 noon to 4 p. m. I relieved Master French. I completed the work he had begun, securing boats and guns and getting up chafing gear. We were in charge of a pilot getting down and heading out of harbor, and discharged him before we passed Cape Henry, at about one o'clock.

We then steered about southeast by east. A few minutes before passing Cape Henry the pass-over valve got jammed open, and steam escaped for a few minutes from the cylinder. We stopped a few minutes and fixed it. This was the only accident that happened to the engine at all from Hampton Roads till the Huron struck. The navigator, Lieutenant Palmer, gave me instructions to inform him when Cape Henry light bore west by south. At 1.25 p. m. Cape Henry light was on that bearing, distant about five to seven miles. Put over two patent logs; course south by east three-quarters east. Lieutenant Palmer, when he set the course, told me there was a buoy on a wreck exactly on our course ten miles off. We passed this buoy about two hundred yards to windward of it. About 3.10 p. m. Lieutenant Palmer told me that the logging and course were exactly right by the chart. About 1.30 p. m. Lieutenant Simons gave me instructions to get the anchors on the bow, secure them, and unbend the chains. I asked him if he wanted the anchors across the top-gallant forecastle deck. He said, "Wait a minute," and went and spoke to Commander Ryan; came back and told me to get them on the bill-board. I told him I had already got the jack asses into the hawse-pipes. He said, "Never mind; unbend the chains and send them below." I did so, and secured the anchors. At two o'clock I made all plain sail except mizzen-gaff topsail. Wind about east-southeast, force five to six; think I marked it six in the log. The log was not saved that I know. The gaff topsails shook so that Commander Ryan told me to take them in, and I did. During that watch we passed one square-rigged vessel heading in toward the capes with all plain sails set and topmast and lower port studdings-sails. We passed several other vessels, one of which was a brigantine, standing toward us, which shifted her helm three times, the third time going about one hundred yards to leeward of us, standing to northward and westward, all sails set. The barometer was steady in that watch at 30.04. The Huron behaved well at this time, riding well to a moderate sea, with a roll to leeward of ten degrees, and an average heel of about three to

our degrees, and little or no pitch or send. I was relieved at 4 p. m. by Ensign Danner, and passed to him the course by compass as south by east three-quarters east, logging 6.2. I went below.

At six o'clock Mr. Danner, who was relieved by Mr. Conway, came into my room, said it was blowing very fresh, that the jib-stay and flying jib stay had both carried away, and that they were setting a fore-storm stay sail. Several officers, Lieutenant Simons and Mr. Danner were in my room. They left at 8.30 p. m., and then I went to bed. The Huron was then rolling more than during my p. m. watch. At twelve, midnight, I was waked by the quartermaster calling Mr. French, who asked him the state of the weather. The answer was, "Bad." Mr. French came in and got my overcoat and went on deck and I went to sleep again, but not soundly.

We had had during my watch only a hand-lead going, and took that in about 3 p. m., finding no bottom. The depth had been steadily increasing from four fathoms within the capes to no bottom with the hand-lead. I took the bearing off Cape Henry, but have forgotten what it was. This was about 3.50 p. m. At 1.10 or 1.15 o'clock I was waked by the ship's striking bottom; thought what it was at once; heard Commander Ryan sing out, "Hard down, hard astarboard," sounding as if coming from his cabin. I immediately jumped up, put on a blouse and pants and ran on deck. Commander Ryan was there with all his clothes on. He had not undressed at all. Heard him give orders to "brail up the trysails." Meantime the ship had made two rolls, one to windward and one to leeward, and then she bilged to windward. Seas breaking over carried away all the port boats. I manned the brails and helped all I could to take in the trysails; when we saw we couldn't do it, a man went aloft and cut the halyards and let it come down. I then asked Commander Ryan, who was near me, if I should throw the guns (nine-inch) overboard. He said, "Yes," and gave the order. I got the port pennant tackle and hitched [hooked]* it to the nine-inch gun and told a man to cut the gun adrift, but he could not do it, nor could I keep men on the pennant tackle, because they were washed away and some very nearly overboard.

I then heard the captain order, "Lower the first cutter," which was the starboard middle boat. I went to the signal-officer and secured two boxes of signals before they got wet. The captain then asked if I had saved signals, and I answered, "Yes," and he said, "Burn all you can." I took three quartermasters in to the captain's water-closet, the only place from which I could burn signals, and had to burn them from lighted candles. While in there, several officers and men came in and out. I burned over a hundred lights and sent up five rockets with sticks we made from strips from the cabin door. Lieutenant Palmer was in there with me most of the time to look at the barometer. We were in there about three hours. The barometer was steady at 29.90. We looked often at the tell-tale compass in the cabin, and the ship headed south by west the whole time we were in there. I asked him where we had struck. He said he did not know; knew we were three or four miles below Kittyhawk, somewhere opposite Nag's Head, and that we ought to see Body Island light. I asked him if he thought we had struck a sand-bar formed by a wreck. He said, "No; it struck too solid, too hard." I thought so too. I asked what distance he thought we were from shore. He said, "We could not be inside of eight or nine miles," and told me he had taken bearings off Currituck light as he

*Substituted for "hitched."—J. A. B.

ran by, and that he was on the quarter-deck, I think, when the Huron struck; that when he left Currituck light he had 14½ to 15 fathoms' soundings, which [with the bearings] * he said put him exactly where the course ought to put her; and that he knew from that that we had not drifted much, and that he had the course-lead (25 pounds lead) going every hour, and, I think, at one half hour, 11½ or 12½, after we lost Currituck light, which we lost between half-past ten and eleven o'clock; that he got bottom from 14½ to 15, and at one o'clock in 13 fathoms; and that she struck ten to fifteen minutes afterward. We both went and looked at the chart, and he pointed and said, "We are about off there." Commander Ryan came into the cabin to look at the chart. I asked him where we had struck. He said, "Somewhere about Nag's Head, must be near the shore," but how we got there he didn't know. The seas all this time were breaking all over the ship. I heard an order, "All hands go forward," and at almost the same time heard the crash of the poop-deck and upper part of the light works on the port side, aft, crushed in. I hurried all out of the cabin, repeating the order. I came last. At the cabin-door, Surgeon Culbreth was next ahead of me in the door. I told him to go forward. He turned and looked at me, but did not move. He seemed very cool. I said, "If you're not going, get out of the way and I'll go." He started just ahead of me, and I saw Mr. French leaning against the wheel, who asked me if I was the last one. I said, "Yes," and he said, "Better be quick or we'll not be able to get forward." I got as far as the Gatling gun, had hold of the spokes, when a very heavy roller came over and caught me and all (six or seven more) who were between me and the gangway and washed us all down to leeward. They caught under the sail, and I in the bag of it, hurting my legs very badly against the gaff. By very great effort, I braced myself against the steerage-hatch and sprang and caught the gear of the nine-inch gun on the starboard (upper) side. The vessel was heeled over 40° to 45°, so that you couldn't stand up at all. I put my arm down among the gearing so that I couldn't be washed off unless my arm came off. I heard several men call for help, who were swept off by the next roller. It went over me, but my arm held me. Mr. French called out, "Are you saved?" I answered, "So far, but I dont know how long, at this rate; come on; now's our time." He came and I saw him go into the main rigging.

I worked myself forward and was helped onto the top-gallant forecastle; saw several men under it. We all got together on it, forty or fifty of us; were very cold; tried to get blankets; could get very few. Master Conway had one and covered my head and several others with it; saw a number of men with life-preservers on. I told a man to get a belaying-pin and sound. He did, and found about six feet. I saw a rubber balsa on the forecastle blown up; saw several men killed on the forecastle; saw the launch washed out. Commander Ryan fell between it and the ship, and, I think, was struck by it. Lieutenant Palmer, near him, held on to a davit but was washed off by the next roller. I sounded again in about an hour and got a little over eight feet of water; thought the tide was rising or the ship sinking in the sand, and was uneasy about her breaking.

We saw a light in what we thought a house about a point on the starboard bow. We could see what I thought to be the shore, but I mistook the beach for smooth water inside the breakers. This was a little before daylight. When I saw the rise of the water and the increasing wash of the sea, I thought that if we didn't get assistance from the shore we

*Interlineations.

could n't be saved. Some one said, "If we can hold on till daylight we can get assistance." Mr. Conway suggested getting a line from the ship. [Mr. Conway did not hear what I said.]* I said, "If I can get some one to go with me, I'll go." No one came. I waited a few minutes and thought I stood a better chance to hold on where I was, but yet would try to go; and I sung out if they would lower the balsa I would try it. They did try to lower the balsa and it got tangled among the spars that were under the starboard bow, spars that had fallen overboard.

I told the captain of the forecastle to cut adrift the spars or they would kill all who got among them. He said he was holding them for a raft. I thought it a good idea, and got down on the torpedo-spar, bracked myself against a chain-plate, as each sea would wash over me, and for ten minutes tried to clear the balsa. I got on top of it and bracked my legs around the fore-and-aft piece and sung out for some one to go with me. Ensign Danner got up and said he'd go, but when he got near he said he was too weak, and I said, "Get on, if you can; our only hope is to get that line." He said he could not, but would wait for the line.

I saw Antoine Williams, whom I knew to be a cool and intelligent man, and called to him to come. He came, and for twenty minutes we worked to clear the balsa and get it over, ahead of the spars, when we were washed under and I was struck twice on back and hips. Mr. Simons, repeated by Mr. Wight, sung out, "Cut the line; no more aboard." I sung out, "Veer away, quick." He and others sung out, "Cut the line, and get ashore if you can for assistance; notify them."

I cut the line with a small penknife, and we were swept aft. Tried to paddle back. When near the stern, were struck by a heavy sea; the balsa capsized end for end, and we nearly drowned. We regained the balsa; told Williams to push the balsa ahead, both of us swimming and pushing it forward. The next roller capsized us again, end for end (the balsa was about eight feet long). Williams was thrown about fifteen feet; and I fell on my back in the water. He caught the balsa again.

There was then a sort of lull in the sea and we saw poles that I thought were the masts of fishing-smacks. (They were telegraph-poles.) I said, "Pull fast and get to them; they may save us." A third time, and again a fourth time we were upset. I then let go of the balsa, thought I saw the beach and then my knee struck bottom. Williams and I got ashore at the same time; told him we would take the balsa ashore and use it as a car if we could get a line. We hauled two men out of the surf alive, and then picked up the balsa. We landed three fourths of a mile to a mile north of the wreck. I ran to a shed; there was no one in it; it was about 7 a. m.; the fog had lifted; I could see everything clearly. Started towards the Huron; hauled out two more men; saw a cluster of fishermen on the beach, opposite the wreck, looking at her. One of the men kindled a fire for us in a hut. I sent others of them up the beach to look for and help those who might come ashore. I lifted an overcoat as a signal to those still on the Huron; they answered from the main rigging by waving a cap. I met two men bringing Mr. Conway to the hut. A man on horseback had told me that there was a life-saving station seven miles up and another four miles down the shore. I inquired for a telegraph-station; was told there was one near the seven-mile-off life station. Told the horseman to go there and telegraph the department for help, and say that the Huron was a total wreck.

I asked the fishermen if they had seen our signals. They said, "Yes, almost the first one." I asked, "Why didn't you get the life-boat?"

* Interlineation.

The horseman said he had sent, some two or three hours before, over to Roanoke where the life-crew was. I asked, "Why didn't you get up the car and line yourself?" He said it was locked and they were afraid to break it open. I said, "Come, and I'll break it open"; four or five said they'd go. As I passed the hut where Mr. Conway had gone to put on some clothes, I told him I was going to *one* and had sent to the *other* station, and he said, "Go ahead and break it open," and that he was going [up]* the beach.

I was barefoot, my legs bruised and sore, and it hurt me fearfully to walk on the sand; but I got there, running and walking, about 9.30 a. m; found no one there; broke open the station; got out the mortar and lines and powder. Sheriff Brinkley coming by with his mule-team took them up abreast the wreck and did all he could. As I got within about a quarter of a mile of the ship I saw her last mast go over.

When I got abreast the wreck there was no one on her, and so I did not use the mortar. They patrolled the beach, hauling men out, some alive, some dead. Eight dead were found; and thirty men and four officers, including myself, alive. In the hut we cooked some canned fruit and meat [corn and tomatoes],* and some bread that had come ashore. Some of the paymaster's papers came ashore in his bureau. I telegraphed the facts to Rear-Admiral Trenchard and to the Chief Signal-Officer, General Myer. Sheriff Brinkley invited all of us, officers and men, to his house, and put those in his cart who could not walk. At the life-saving station he said as many of the men were nearly naked, and as the station was a comfortabe place, they had better stay there, and he would (and did) furnish them there with beds, bedding, and food. The officers went to his house. This was Saturday p. m., November 24. He and his hired men and teams patrolled the beach all night.

Sunday morning we heard that two men-of-war and a wrecking vessel were in the offing. I went to the life-station, got on top, and with a boat-hook and large blue flag tried to call their attention. They didn't see it nor a red flag that I used afterward. I wanted to wig-wag to them. We went up abreast the Huron; found there a signal-officer who had been signaling them, and I took his flag and repeated the signals. Meantime we had requested the sheriff to charter, and he did charter, a steamer that we had heard of below. About one o'clock Lieutenant Watson arrived with doctor, medicines, and stores brought through the canal in a tug from Norfolk. We put the bodies and ourselves on board the tug to Norfolk. I ought to have stated that, while we were in the cabin on the Huron, Lieutenant Palmer told me that there was a half point of westerly deviation on the course we were steering, and that we had been on the same course all the way after the departure.

No more questions were asked by the judge-advocate. The witness was interrogated by the court, and made answer as follows:

1st. question by the court. Were Navy Regulations, page 41, paragraph 56, and page 51, paragraph 145, and page 58, paragraph 4, followed and observed on the Huron?

(These paragraphs were read aloud to the witness by the judge-advocate, and a copy of them is hereto annexed, marked L.)

Answer. Yes, as far as I know, except as to unbending chains. Can't say as to marking lead-line; but it was in good order, and so were the compasses.

*Interlineation. J. A. B.

2d question by the court. Do you know when and where the Huron was last swung for deviation?

Answer. I think in New York, not long after she left dock.

3d question by the court. About how long before daylight did you see the captain and navigator washed overboard?

Answer. About five o'clock—an hour or an hour and a half before daylight.

4th question by the court. Did officers and men behave well, and could any efficient measures have been taken to save life or property after the vessel struck which were neglected?

Answer. I can think of no measure that was not taken. The men behaved as well as I ever saw them on any drill or inspection on any vessel; were cool, cheerful, quick, and obedient, and showed no strong excitement. There was no confusion or disorder on any occasion.

5th question by the court. You say the launch was secured in her chocks on the rail, and that Commander Ryan and Lieutenant Palmer and some of the men were in her. Was Commander Ryan there for the purpose of overlooking and giving orders and was he properly there at the time?

Answer. The launch furnished the most prominent point of view and the safest place to overlook and direct operations. Commander Ryan was properly there, and not for the purpose of getting away from the Huron.

6th question by the court. Now that you can look back, to what do you attribute the loss of the Huron?

Answer. I noticed that the sand of the beach was impregnated with iron. That may have been part. There was a very strong in-setting current nearly parallel with the beach. I cannot speak positively—wind, current, set of the sea, and probably local variation of compass may all have been the cause of the loss.

7th question by the court. Have you any belief that the intelligence of the captain and navigator was dimmed or impaired in any way before the grounding?

Answer. No. They were in full possession of their faculties. They were both eminently temperate men.

8th question by the court. Was the Huron a staunch, sea-worthy, and well-equipped vessel in every particular?

Answer. Yes.

9th question by the court. What do you suppose to have been the reason that Body Island light was not seen before the vessel grounded?

Answer. Thick, foggy weather. We couldn't see the beach 200 yards off.

10th question by the court. While the ship was under sail in your watch, did you note or notice the leeway?

Answer. She made none. I looked at her wake and also the buoy I spoke of.

Here the examination of the witness was suspended, and the court, at ten minutes before 3 p. m., adjourned to Monday next, December 10, at 10.30 a. m.

JOHN A. BOLLES,
Naval Solicitor, Judge-Advocate.

NAVY DEPARTMENT,
Monday, December 10, 1877—10.30 o'clock a. m.

The court met according to adjournment. Present, all the members and the judge-advocate.

The record of last Saturday's proceedings was read and approved. Ensign YOUNG was recalled, and heard read the record of his Saturday's testimony, and affirmed the same, with the following amendments, viz: Substitute the word "hooked" for "hitched," p. 57, line 3 from bottom [p. 15]; on p. 59, 5th line from bottom, between the words "which" and "he," insert the words "with the bearings" [p. 16]; and on line 3 from the bottom, p. 63, after the words "the ship," add, "Mr. Conway did not hear what I said" [p. 17]; in the 13th line, on p. 68, substitute the word "up" for "down to" [p. 18]; on p. 69, line 10, substitute the words "corn and tomatoes" for "fruit and meat [p. 18].

The examination of the witness by the court was then continued as follows, viz:

11th question by the court. You have stated that the course given you by the navigating-officer was south by east three-quarters east. Are you now confident that this was the course given you, or could you have mistaken it for south by east one-quarter east?

Answer. I think it was south by east three-quarters east.

12th question by the court. Did you set this course by the standard compass and refer it to the steering compasses, and did these compasses agree with the standard compass?

Answer. We set the course by the standard compass. I did not refer to the steering compass. We had but two compasses in use on deck (standard and steering), and they differed over a point on some courses.

13th question by the court. Did the navigator examine the compasses to see that the ship was on her proper course?

Hnswer. He did; and, in addition, took the bearing of Cape Henry light after the ship was on her course.

14th question by the court. Did you observe during your watch whether the compasses were steady or otherwise?

Answer. I did; they were steady.

15th question by the court. Were you aware that keeling ten degrees would vitiate the Huron's ordinary allowance for deviation of the compass?

Answer. No, sir.

16th question by the court. Please plot the Huron's course from the buoy which you passed some ten miles southeast from Cape Henry light, and mark the place where you struck.

(The witness goes to the chart No. 5 (marked Young, T. A. B.), and marks in red ink the course and the point where the Huron struck, and says: "I have run the course through the buoy south-southeast one-quarter east, there being one-half point westerly deviation, and the place where she struck, about eight miles above Body Island light, on the edge of the beach.")

17th question by the court. Did you, on the night of the 23d and 24th of November, hear any one say that the Huron was being steered too much toward the shore?

Answer. I don't remember hearing it.

18th question by the court. You state that the ship was under steam and sail. Was she close on the wind and did the sails lift at any time, or was she kept off her course to keep the sails full?

Answer. She was close-hauled on the wind. The sails did not lift during my watch. She was kept on her course.

19th question by the court. What lookouts were kept during the night, from sunset to sunrise, and where were they stationed, and were they always vigilant?

Answer. Two cat-head lookouts and one man on the life-buoy; none in the waist. So far as I knew, they were vigilant. I usually inspected and hailed them when on my watch at night.

20th question by the court. When you left the deck at four p. m., was the weather thick or foggy, and was the light-house on Currituck in sight? Was the light from this light-house seen as soon as night set in; and how far could this light or Body Island light be seen in such weather as that in your watch?

Answer. The weather was not foggy nor thick, but smoky or hazy. I could see land plainly. Currituck light was not in sight. I don't know as it was seen as soon as night set in. At four o'clock they could be seen fifteen or sixteen miles, if that weather had continued into the night.

21st question by the court. Was the Huron, before strking the bottom, so far as the weather and sea were concerned, free to go anywhere that the captain should choose to direct her course?

Answer. Yes, sir.

22d question by the court. Was the Huron, on leaving Hampton Roads, in all respects stanch, seaworthy, and well found?

Answer. Yes, sir.

23d question by the court. Is it your opinion that the ship was bilged by the violence of thumping, or was she bilged before you left her?

Answer. I do not know that she was bilged at all. In my former answer when I said "bilged over" I meant heeled over, and remained on her port bilge; and I didn't think that a hole was knocked in her bottom at all.

No further questions were proposed to the witness. His answers being read to him, he pronounced them correct and withdrew from the court.

The next witness called was Cadet Engineer WARBURTON, who, being duly sworn by the president of the court, was examined and answered as follows, viz:

1st question by the judge-advocate. State your name, rank, and position on the Huron.

Answer. Edgar T. Warburton, United States Navy; cadet engineer; watch-officer in the engineer corps.

2d question by the judge-advocate. How long have you been attached to the Huron?

Answer. Over two years. From November 15, 1875, with the exception that I was detached in October, 1876, and attached in December, 1876.

3d question by the judge-advocate. When did she last sail from Hampton Roads?

Answer. November 23d, at 10 to 10.30 a. m.

4th question by the judge-advocate. What were then the weather, wind, and sea?

Answer. Cloudy, [not]* blowing hard, not so as to cause one to apprehend danger in going to sea; moderately smooth at Hampton Roads.

5th question by the judge-advocate. What was the condition of the ship and her machinery?

* Interlineation.—J. A. B.

Answer. Her machinery was in good order; had been thoroughly overhauled lately. The ship was in good order, so far as my knowledge extended.

6th question by the judge-advocate. Did her engines and other machinery work well until she struck?

Answer. Yes; satisfactorily.

7th question by the judge-advocate. Did any accident happen to the passover-valve before you left Cape Henry?

Answer. One of the water-valves, or the passover-valve of the low-pressure engine, was blowing steam for some time—for a short time—but not in my watch; it wouldn't affect the efficiency of the engine.

8th question by the judge-advocate. State all that you observed and knew of the Huron and her movements from Hampton Roads till she struck.

Answer. We sailed, as above stated, under steam alone; I was on watch in the engine-room from eight a. m. till noon, and was then relieved by Mr. Loomis. The ship stopped to discharge her pilot when I came off watch, and at eight p. m. I again went on watch till midnight, relieving Mr. Denig. The orders he passed to me were, to make from 43 to 45 revolutions per minute, and to keep good fires.

Shortly after eight o'clock, Chief Engineer Olson came into the engine-room and repeated the same orders. During that watch the engines were stopped three times for soundings: once between nine and ten o'clock, again about eleven, a third time about two minutes before twelve o'clock. At midnight I was relieved by Mr. Loomis, to whom I gave the orders that had been passed to me. I then turned in.

I was awakened by the shock of the vessel's striking, and went on deck immediately; heard the three men at the wheel calling for assistance to get the helm hard over. Patrick Kane was one of the men. I helped them two or three minutes, and then assisted in the attempt to brail up the main try-sail, and then went below into the engine-room and found Chief Engineer Olson, Mr. Denig, Mr. Loomis, and, as far as I could judge, the greater part of the engineer's [force.]* The engines were then working ahead, but the order was soon given to reverse the engines, and they were backed and continued so until about two a. m. on Saturday. The engine-room hatch was imperfectly battened down, and at times water came down the hatch. The auxiliary pumps were put on the bilge, the sea-injection closed and bilge-injection opened, to relieve the ship of water. I could at times hear cracking noises, as though the engine-frame were cracking, but could discover no break, and the engines were still in operation. Shortly before two o'clock the starboard boiler shifted slightly, bending the steam-pipe, and necessitating hauling the two starboard fires. About two o'clock the engines stopped suddenly, just as Mr. Olson had gone on deck to consult the captain about continuing to work them. Mr. Olson gave the order to stop them, but they had already stopped while they were still backing; they had been backing at least three-quarters of an hour, if not longer, and had been in operation, altogether, after the ship struck, almost an hour. Mr. Olson then ordered the other fires hauled, and at 2.15 a. m. passed the word to leave the engine-room and fire-room and go on deck as soon as the fires should be hauled. At 2.20 a. m. the first man started on deck up the engine-room hatch. I remained below until everybody had gone up, and then went myself.

I stood on the starboard side of the quarter-deck, holding on to the

* Substituted for the word "corps".—J. A. B.

starboard try-sail-vang. Dr. Culbreth was with me. The seas would reach our knees, but we could stand with some comfort. While I was there the foremast was cut away and an effort made to throw over the port nine-inch gun; but the attempt was abandoned. Commander Ryan stopped where we were for two or three minutes, and Dr. Culbreth asked him if he was awake when the ship struck. He answered, "Yes." Shortly afterwards Mr. Simons came there and told us a light had been seen on shore. Afterwards Mr. Simons, Mr. Wight, Dr. Culbreth went below through the engine-room hatch. While we were below it was three and a half o'clock. We all put on dry and heavier clothing to keep warm, and then returned on deck. We must have been below fifteen minutes, and during that time Paymaster Sanders came below, but went on deck ahead of me. Dr. Culbreth was still standing in his old position, holding on to the vang. I remained there but a few seconds, the first sea breaking completely over me. Dr. Culbreth remained there a short time longer, and then followed me under the break of the poop. There were then quite a number of officers and men in the cabin and under the break of the poop. In about twenty minutes the sea washed in the cabin, and the order was given to move forward to the topgallant forecastle. I had much difficulty in the passage; my feet several times were washed from under me, and I was obliged to cling to rods to prevent being swept overboard; was assisted on to the topgallant forecastle by some of the men already there, and took position on the inboard side of the starboard pin-rail. At this time the waves did not break over us on the forecastle; but flood-tide soon made, and then every wave went completely over us. For a short time three or four of us held a tarpaulin over our heads, but this was carried away by the sea.

Just before daylight a light was seen in a hut on the beach, and we all gave three cheers when we first saw it. Just after daylight Mr. Young volunteered to go ashore on the balsa and take a line ashore; You get far from the ship before the line jammed aboard ship and didn's called to cut it. We were deterred from leaving the ship and he ming ashore by seeing that when any man was washed off he was carswi past the ship in the direction out to sea; and we did not know, till each ried the attempt, that the current afterward set in toward shore; and, mad es, we momentarily expected assistance from the life-saving sta- besi Some little time after Mr. Young started, I determined to follow tion I could retain my position no longer, as each sea beat me against the him rail. I took off my overcoat, and, before another sea could reach me, moved to the starboard fish-davit. Here I saw Lieutenant Simons and Master Wight, both in the starboard fore chains, looking much exhausted. I tried to take off my clothes, but was washed off ship and carried to some spars lying near her on the bow. I almost exhausted myself by trying to get on top of them, but was washed away and carried past the ship out to sea. I didn't know I was going toward shore till I saw the telegraph-poles on the beach, which I first supposed to be masts of vessels outside. I should have been drowned about this time if I hadn't caught part of an oar floating by me. I got still closer in shore, and was about to give up when my feet struck bottom, and I made another effort. Quite close to the shore the undertow caught me, and I was in danger of being carried out again, when two shoresmen rushed in and hauled me out.

I was taken to a shanty a few yards off, where I found a fire lighted and a dry blanket. Had no idea how long I was in the water. The time seemed short, but I came ashore a mile from the wreck; was so

bruised that I couldn't move when I had got ashore, and was obliged to remain in the shanty till late in the afternoon. When Mr. Conway decided to move the party to the life saving-station, I was carried in Sheriff Brinkly's cart with two or three men who were too lame to walk.

The rest of the men walked to the station, three miles down the beach, where they were left for the night, and the officers were taken to the sheriff's house, about a mile farther on, where we staid all night. In the morning Mr. Denig was too ill to be moved. As we were about to start for the station, Sunday morning, one of the men came to tell us that the Powhatan the Swatara, another steamer, and a tug were steaming up and down off the coast. We then started for the station, where I was left with most of the men. Mr. Young tried to make signals from the station to them, but couldn't attract their attention. Mr. Conway, Mr. Young, and part of the men went up the beach nearer the men-of-war.

I remained at the station till afternoon, too lame to walk. About 3 p. m. Mr. Brinkly passed by and gave me an order from Mr. Conway to start with the men who were with me for the steamer Bonita when Mr. Brinkly came back with Mr. Denig with teams. Just after this Assistant Surgeon Arthur, with a newspaper reporter from Norfolk, came to the station, having arrived in the tug Chowan with a relief party under Lieutenant Watson. After Dr. Arthur had looked at some of the men who were ill and bruised, I asked him to go to Sheriff Brinkly's house and see Assistant Engineer Denig. Soon afterward Sheriff Brinkly returned with three or four carts, Mr. Denig and Dr. Arthur in one of them; the sick and bruised we put in one of the carts, and we started for the Bonita, which was at Nag's Head, where we arrived shortly after sundown. We were taken aboard, and, after the rescued bodies were also brought aboard, we started for Norfolk, soon after seven o'clock, and got to the Norfolk navy-yard at nine o'clock Monday morning.

The examination of the witness at this point was discontinued, and the court adjourned to to-morrow (Tuesday) at 10.30 a. m.

JOHN A. BOLLES,
Naval Solicitor, Judge-Advocate.

NAVY DEPARTMENT,
Tuesday, December 11, 1877—10.30 a. m.

The court met according to adjournment. Present, all the members and the judge-advocate.

The record of yesterday's proceedings was read and approved. So much of it as contained the testimony of Cadet Engineer Warburton was read aloud in his hearing and pronounced by him correct with the interlineations, marked J. A. B. on pages 83 [p. 21] and 85 [p. 22]. His examination was then resumed, and he further testified as follows, viz:

9th question by the judge-advocate. What was the conduct of the officers and men of the Huron, so far as you observed, from Hampton Roads till she struck, and after?

Answer. I should say that the conduct of all on board until she struck was such as it should be on a man-of-war, and afterward the conduct was excellent. There was not the slightest confusion nor panic, and I saw no person exhibit signs of fear. The engineer's force came more under my observation, and in the engine-room and fire-room the men remained at their stations and performed their duty as well as though the

ship had not been aground. The men who were saved conducted on shore as well as they did on the ship and promptly obeyed all orders.

10th question by the judge-advocate. Was anything omitted by Commander Ryan and the officers which should have been done, after the Huron struck, to save the ship and the lives of her officers and crew?

Answer. As far as my knowledge goes, nothing was omitted.

The judge-advocate asked no more questions; and the court continued Mr. Warburton's examination, as follows, viz:

1st question by the court. At about what time were you washed overboard?

Answer. About seven o'clock. I was told by the men after I got ashore that it was between seven and eight o'clock.

2d question by the court. Do you know the course the Huron was steering when she struck?

Answer. Not from my own observation; but after she struck I was told that the course had been south by east three-quarters east.

3d question by the court. Was the Huron rolling deeply or uneasily during your watch?

Answer. She rolled deeply and at times as much as 25°. The average roll was 12° to 15°.

4th question by the court. How did the Huron stand the violent pounding incident to her grounding?

Answer. Remarkably well; and it was a wonder to all that any ship should stand it so well. Soon after she struck, she was heeled at an angle of 40° to 45°, and I think she maintained that position throughout. She apparently made no water but what came through the hatches.

5th question by the court. Did or did not the ship strike with much less violence after she had heeled over 40° to 45°, or did she strike at all after that?

Answer. I think she struck afterward, but not so violently as before. At the last she did not rise at all.

The witness further stated that as he was taken past the wreck, between four and five o'clock Saturday p. m., the wreck was about two hundred and fifty yards from the shore.

No further questions were proposed. His answers were read to the witness, and he said they were correctly recorded, and then withdrew.

The next witness called was MICHAEL TRAINOR, who, being duly sworn by the president of the court, was questioned, and answered as follows, viz:

1st question by the judge-advocate. State your name and rating on the Huron, and say how long you have been attached to her.

Answer. Michael Trainor; captain of the afterguard; ever since she went into commission, November, 1875.

2d question by the judge-advocate. What watches were you on, November 23 and 24, last month?

Answer. From 10 a. m. till noon, on the 23d, and from 4 to 6 p. m. and from 8 to 12 p. m. on the same day.

3d question by the judge-advocate. From 8 p. m. to 12 midnight, was Currituck light in sight?

Answer. Yes, a few minutes before twelve; a red light and a white light—a flash-light.

4th question by the judge-advocate. What watch had you from noon till the Huron struck, and where were you stationed?

Answer. On the quarter-deck.

5th question by the judge-advocate. What course was the ship steered during your watches?

Answer. Southeast by south I think, but am not certain. I looked only at the steering-compass.

6th question by the judge-advocate. What soundings were taken in your watches, and what was the depth of water?

Answer. Soundings every hour; fifteen fathoms at twelve midnight, and all through my last watch.

7th question by the judge-advocate. Did the navigating officer make observations for correcting the compasses after the ship left the dry dock in New York?

Answer. Yes; as the ship swung in the tide at New York.

8th question by the judge-advocate. How was the weather, and how strong was the wind, and was the sea very rough?

Answer. Quite light at the beginning; then breezed-up in the afternoon, and we had to take in gaff top-sails and flying-jib.

9th question by the judge-advocate. What sail was on the ship during your watches, and did the ship roll or heel over much?

Answer. When I came on deck in the p. m. she had on jib and fore and main try-sails. She rolled not very heavily then, nor ever; heeled over a streak or two. Between 7 and 8 p. m. we reefed fore and main try-sails and set storm stay-sail.

10th question by the judge-advocate. When you left the deck at midnight, did you hear the officer of the deck pass the course to his relief?

Answer. No.

11th question by the judge-advocate. Was the ship close-hauled during your watches?

Answer. Yes.

12th question by the judge-advocate. Where were you when the ship grounded, and what did you do on that occasion?

Answer. In my hammock. I got out when she struck, and dressed, and went aft as far as the main-mast; helped lower the main try-sail. She was ashore hard then. I stayed there till I heard the orders for the boat's crew to go to the first cutter, then I went into her. There were four men in her, and the end of a hawser. Four or five of us stopped in her some time, about ten minutes. I took a boat-hook and sounded over her side; found six feet of water; told Commander Ryan who was in the gangway, and he thought that I was mistaken; but I said, "Here's the bottom, captain; I am holding by it." A heavy swell came and half filled the boat. I said to the other men, "We had better get out of this boat," and we did. The next sea sunk her. There was no one in her. The captain then said to me, "Our hopes are all gone now."

I stood in the gangway on a davit awhile, then went to the main-chains, then to spar-deck, and stopped there till all the officers and men went forward. I then went back to the chains, and then was forced by heavy seas into the rigging; stuck there till the main-stay carried away. Then I and Mr. French jumped over and swam. All the boats were gone. This was two hours after daylight, about eight o'clock. The captain and Lieutenant Palmer had then been swept out of the launch, and the launch carried away. I swam ashore, and two men hauled me out. Mr. French was drowned.

13th question by the judge-advocate. How did the officers and men perform their duties during your last watch?

Answer. First rate. That was so all day and night, in every watch. Mr. Wight had the watch from eight to midnight, and was a very vigilant officer.

14th question by the judge-advocate. Have you anything to lay to e charge of any officer or man with regard to the loss of the Huron?
Answer. No, sir; nothing.
15th question by the judge-advocate. Are any of the quartermasters ho hove the lead living?
Answer. No.
16th question by the judge-advocate. In your judgment, was everying done that could be done to save the ship, officers, and men?
Answer. Yes.
17th question by the judge-advocate. From your two years' observaon should you call the Huron a very stanch and seaworthy ship?
Answer. Yes, and a good sea-boat; never knew her to leak a drop.
18th question by the judge-advocate. What lookouts were stationed night, and were they always vigilant, so far as you know?
Answer. Starboard and port cat-heads and life-buoy; all vigilant.
19th question by the judge-advocate. What was the conduct of the offirs and men after the ship grounded; did all behave well or otherwise?
Answer. All behaved well.

No further questions were proposed, and the record of his evidence eing read to the witness he affirmed it and withdrew.
The court then adjourned to to morrow at 10.30 a. m.

JOHN A. BOLLES,
Naval Solicitor, Judge-Advocate.

NAVY DEPARTMENT, *December* 12, 1877.

The court met at 10.30 a. m., according to adjournment. Present, ll the members and the judge-advocate.
The record of yesterday's proceedings was read and approved.
Professor GREENE was then called as a witness, and, being duly sworn y the president of the court, was examined and testified as follows, iz:

1st question by the judge-advocate. What is your name, rank, and uty?
Answer. Benjamin F. Greene, professor of mathematics United States avy. My present duty is that of superintendent of compasses, atached to the Bureau of Navigation.
2d question by the judge-advocate. Did you establish the local deviaion of the compass (standard or steering) of the Huron? If so, please tate when, where, and how. And did you furnish a statement of the leviations, in a tabulated form, and place the same in the hands of the ommander of that vessel?
Answer. I did; on the 10th and 11th of February, 1876, in Hampton Roads; three sets of observations under steam, by solar azimuths, for oth the standard and the steering compass. I made, but did not furish to the commander of the Huron, observations of horizontal and vertical force to determine the effect of the ship's heeling and the other magnetic elements of the ship. The reason for not furnishing the result of these observations to the Huron was that the heeling coefficient was so small, and that her southern cruise would take her where the heeling deviation would become less and less.
3d question by the judge-advocate. What was the difference of deviation between the steering-compass and standard-compass, from southeast to south, inclusive?
Answer. The following table gives the answer:

Table.

Ship's headings.	Deviations of standard-compass.	Deviations of steering-compass.
	W.	W.
Southeast	18°.8	21°.9
Southeast by south	15°.5	17°.5
South southeast	11°.2	12°.1
South by east	6°.1	6°.1
South	0°.2	1°.4

This shows the deviation means for observations on port and starboard helms.

4th question by the judge-advocate. In heeling ten degrees to starboard, what would be the deviation of the Huron's standard-compass upon a course of south by east, three-quarters east?

Answer. In February, 1876, it would have been 4°.2 west from the magnetic meridian; but at the time and place of the loss of the Huron it would be considerably different; whether less or more, it would be difficult to say.

No further questions were asked. His answers were read to Professor Greene, the witness, and by him affirmed, and he then withdrew.

Master CONWAY was then recalled, and was questioned and testified thus:

1st question by the court. You have stated that the course given you when you relieved the officer in charge of the deck at six o'clock on the evening of the 23d of November was south by east, one-quarter east. Do you, on further reflection, adhere to that course as the one given; and was this course by standard compass or by steering-compass? Give the name of the officer you relieved.

Answer. I do adhere. I relieved Ensign F. W. Dannan. The course was by the standard compass.

2d question by the court. Did you look at the standard compass when you took charge of the watch, and was the Huron then heading south by east, one-quarter east?

Answer. I did not; but asked the quartermaster what course he had got, and he answered south by east, one-quarter east. He stood by and answered from the standard compass. He was lost.

3d question by the court. Did the standard and binnacle compasses agree on the course south by east, one-quarter east?

Answer. *No*; there was about one-quarter point difference.

4th question by the court. Please lay down the track of the Huron from Cape Henry, as you remember it, and sign your name to it.

The witness did so on the chart No. 5, used by Mr. Young in his testimony, and then withdrew after hearing read his answers, and affirming them.

The judge-advocate then called the following thirteen survivors of the Huron's crew, who were duly sworn by the president of the court, viz:

FRANK MAY, landsman of the engineer's force.
THO'S PRICE, landsman.
MICHAEL KENNEDY, landsman.

D'L DEVOY, first-class fireman.
FREDERICK HOFFMAN, ordinary seaman.
H. W. AVERY, second-class fireman.
D. O'DONNELL, ordinary seaman.
HARRY NELSON, landsman.
THOS. CARLEY, landsman.
MICHAEL DURKEY, landsman.
JOHN S. HOLLAND, master-at-arms.
AUGUST LINDGREST, coxswain.
DENNIS DACEY, sailmaker's mate.

To these witnesses the judge-advocate proposed the following question: Have you any complaint to make against any of the surviving officers and crew of the Huron on the occasion of her wreck?

To the above question, each and all of said thirteen witnesses answered "No, sir."

To these witnesses the judge-advocate proposed the following question: Have you anything to lay to the charge of any officer or man with regard to the loss of the Huron?

To this, as to the first question, each and all of said thirteen witnesses answered, "No, sir."

3d question by the judge-advocate. Did any, and, if any, which of you, assist in getting casts of the lead, November 23?

Witnesses O'Donnell, Kennedy, Durkey, and Hoffman answered, "Yes, sir." All the other nine answered, "No, sir."

O'Donnell said: "I assisted four times in the eight o'clock to midnight watch. The three first casts were up and down and gave 17 fathoms. The fourth cast, at ten minutes to twelve o'clock, midnight, not up and down, gave 15 fathoms; but I estimated it at 10 fathoms, and so told the captain of the after-guard, Mr. Trainor. The quartermaster heard me, but reported it to the officer of the deck as 15 fathoms."

Kennedy said, "I assisted in the cast just before the Huron struck, at one o'clock, and found 17 fathoms; and again at one o'clock and ten minutes; can't say how many fathoms—not an up and down cast at either time."

Durkey said, "My answer is the same as O'Donnell's, except that I wish to state that Commander Ryan came on deck and directed Mr. Wight to take the last sounding."

Hoffman said, "My answer is the same as Kennedy's, except that I did not see whether the line was up and down."

5th question by the judge-advocate. Was the ship going ahead fast when she sounded?

O'Donnell answered, "No, sir; the steam was stopped; the helm was down; the sails were on, but they shook."

Kennedy answered, "No, sir; the engine was stopped."

Durkey answered, "No, sir."

6th question by the judge-advocate. Did any of you see the coasting leadline marked?

Answer by the whole thirteen, "No, sir."

7th question by the judge-advocate. Was the lead and line used; the coasting line and lead?

Answer by O'Donnell: "The two first times we used the deep-sea line and 25-pound lead; the two last times a smaller line, but same weight of lead."

Answer by Kennedy: "At the one o'clock a. m. casting the coasting-line was used. I can't say as to the other castings."

No further questions were proposed to these, or any of these, thirteen witnesses. Their answers were read to them and by them affirmed, and they then withdrew from the court.

The court then adjourned to to-morrow at 10.30 a. m.

JOHN A. BOLLES,
Naval Solicitor, Judge-Advocate.

NAVY DEPARTMENT, *December* 13, 1877.

The court met at 10.30 a. m., according to adjournment. Present, all the members and the judge-advocate.

The record of yesterday's proceedings was read and approved.

Professor Greene was then allowed, at his own request, to amend his fourth answer, on page 28, by substituting the word "somewhat" for the word "considerably," and by adding to his answer the words, "in the absence of recent observations." He then retired.

The next witness called was THOS. S. NEGUS, who was duly sworn by the president of the court and cautioned, and was questioned and answered as follows, viz:

1st question by the judge-advocate. What is your name, place of business, and occupation?

Answer. Thos. S. Negus; New York City; of the firm of T. S. & J. D. Negus, manufacturers of marine chronometers and dealers in sextants, &c.

2d question by the judge-advocate. Have you heard of the loss of the United States steamer Huron, on the night of November 23 and 24, 1877, on the North Carolina coast?

Answer. Yes, sir.

3d question by the judge-advocate. State if you know of the loss of other vessels under similar circumstances on that coast.

Answer. I am aware of the loss of the wooden side-wheel-steamer Vera Cruz, commanded by Captain Murray, lost some months before the war broke out. I think the loss was in the fall of 1860. She was built in New York expressly for the Vera Cruz trade, to establish a new line, and was first-class in all respects. Captain Murray had previously been in charge of steamships running between New York and Charleston, S. C. His character was good, so far as I know, and his reputation for skill was good.

The steamship Eagle, a wooden side-wheeler, built in New York for the Havana trade, commanded by Captain Greene, was lost in March, 1870, on Body Island. Captain Greene's reputation was excellent, and he was of long experience on that coast and in that trade.

The steamship General Sherman was lost during the war at, or near, Body Island light. I can't say whether she was a wooden steamer, nor whether she had side-wheels.

The iron screw-ship Oriental, Captain Tuzo, was lost May 8, 1862. She was a new steamer, ten months to a year old, of American build, and was bound from New York to Port Royal, with troops. My impression is that her compasses were corrected by local magnets. I know that those in her sister-steamer Matauras were. The captain's character was that of an able and skillful commander, up to the loss of the ship.

The steamer Ariadne, I think wooden, and built at Mystic, was lost

February, 1874. She was commanded by Captain Doane, and bound Galveston, or some Gulf port. She was one of the New York and lveston line of steamers. Captain Doane's reputation was excellent to the time of her loss, and he was supposed to be thoroughly acainted with the navigation of this coast for a number of years.

I have impressions of other losses, but can't recall them distinctly.

4th question by the judge-advocate. Have you heard that there have en recently observed on that coast currents of unusual character?

Answer. I have recently heard that there have been unusually strong esterly currents in that vicinity between Hatteras and Barnegat.

5th question by judge-advocate. To what cause have the losses of hich you speak been attributed by the captains of the lost vessels?

Answer. To an unusually strong westerly current. Captain Greene ld me on his return from the wreck that he steered on the voyage when lost his ship on precisely the same course which he had pursued on any voyages before, and with the same compasses, and that he had ken a cast of the lead at from fifteen to thirty minutes before his vesl struck, and that he believed that the true depth of water was not ported to him. None of the ships were forced in shore by stress of eather, so far as I ever heard.

6th question by judge-advocate. Was there a light-house on Body land when the ships you named were lost?

Answer. That light was put out early during the war, and remained so me years after the war. Some of the captains attributed the loss of eir vessels to the absence of that light. I was well acquainted with l those captains, and our firm had supplied their ships with charts and autical instruments, and thus came to hear of these facts.

No more questions were asked of this witness. The record of his evience was read to him and he approved the same and withdrew.

The next witnesses called and examined and duly sworn by the presient of the court were seven survivors of the crew of the Huron, who ave their names and rating on that ship, as follows, viz:

WILLIAM MCHUGH, ordinary seaman.
JOHN COLLINS, captain of the forecastle.
JOS. MURPHY, ship's cook.
PATRICK KANE, ordinary seaman.
SAMUEL CLARK, second-class fireman.
PETER DUFF, second-class fireman.
EDWARD ARENBURG, private marine.

Having thus stated their names and ratings under oath, they were xamined and made to answer, as follows, viz:

1st question by judge-advocate. Have you any complaint to make gainst any of the surviving officers and men of the Huron on the occaion of her shipwreck?

To this question all these witnesses answered, "No, sir."

2d question by judge-advocate. Have you anything to lay to the charge f any officer or man with regard to the loss of that ship?

To this question all these witnesses answered, "No, sir."

3d question by judge-advocate. Did any of you assist in heaving the ead on the Huron on the 23d or 24th of November last?

To this question all but Patrick Kane and John Collins answered, "No, sir."

Collins said that he did, from off the bridge, assist in heaving the lead at nine, eleven, and twelve o'clock, night; that these casts were not up and down; and that the quartermaster reported them as 14, 13, and 12

fathoms, and does not know whether the quartermaster made any allowance.

Kane said he helped in three castings, between twelve and one o'clock, night, which were reported as 13, 10, and 7 fathoms, and were not up and down; that at those times the ship was perfectly still, the engines not moving and the ship hove up in the wind; that the captain of the after-guard, Charles Keightly, gave these reports (and made an allowance of seven fathoms for drift) to the officer of the deck. "I heard him say so. He was not saved."

4th question by judge-advocate. Did any of you see the coasting lead-line marked?

Answer. "No, sir," by all except Collins, who said he had seen the signal quartermaster mark the deep-sea, the coasting, and the lead lines in New York just before sailing the last time.

5th question by judge-advocate. Was any officer present to see that the soundings were correctly given by the quartermaster?

Answer. "No, sir," by all but Collins and Kane, both of whom state that Master Wight, the officer of the deck from eight to twelve o'clock, and Master French, from twelve to one o'clock, were so present.

6th question by judge-advocate. Were any of you at the wheel between twelve o'clock noon and the grounding of the ship?

Answer by all. "No, sir."

7th question by judge-advocate. Do you, any of you, know personally the course of the Huron down the coast?

Answer by all but Patrick Kane. "No, sir."

Kane answered, "Yes, sir; south by east three fourths east.

8th question by judge-advocate. How long after the last cast did the Huron strike?

No one answered this question but Patrick Kane, who said, "I should say about twenty minutes."

9th question by judge-advocate. Was the vessel kept on her course when her sails flapped?

Answer by all. "We can't say."

10th question by judge-advocate. When did any of you last see the light on Currituck?

Answer by Collins. "About twelve o'clock midnight, well on the starboard quarter as I went below. It was a red and flash light."

11th question by the judge-advocate. After the Huron struck was anything omitted which it was possible to do to save the vessel or the lives of the men?

Answer by all. "No, sir."

12th question by judgea-dvocate. After the grounding, what was the conduct of the officers and crew?

Answer by all. "Perfectly good."

13th question by judge advocate. Were the captain and navigator frequently on deck during the night that the Huron went ashore?

None of the witnesses could say, except McHugh, who said, "I saw them both on the quarter-deck between 4 o'clock and 6 o'clock p. m.

No further question was proposed to these seven witnesses. The record of their evidence was read to them and by them declared correct. They then withdrew from the court.

The judge-advocate then read to the court the following paper by him subscribed, viz:

COURT OF INQUIRY, NAVY DEPARTMENT,
December 13, 1877—1.30 *p. m.*

The judge-advocate, on his construction of the precept, will, unless otherwise directed by the court, summon and examine as witnesses in this inquiry the various constructors, engineers, and equipment officers who have had anything to do with the Huron's build, machinery, and equipments from the time she was delivered by the contractor to the government officers until she left New York in November last.

Very respectfully,

JOHN A. BOLLES,
Judge-Advocate.

Vice-Admiral S. C. ROWAN, *President*, and the other members of the court of inquiry.

The court, after hearing this paper and deliberating thereon, decided not to have the witnesses therein referred to summoned, because, in the judgment of the court, the court is instructed to ascertain the cause or causes of the loss of the Huron by examining the surviving officers and men, and was not directed to inquire into her construction. "There is," as the court affirms, "an abundance of proof that the ship was a strong, seaworthy ship, and well-found in every particular."

Having thus decided the motion submitted by the judge-advocate, the court adjourned to to-morrow, Friday, December 14, 1877, at 10.30 a. m.

JOHN A. BOLLES,
Naval Solicitor, Judge-Advocate.

NAVY DEPARTMENT, *December* 14, 1877.

The court met at 10.30 a. m., according to adjournment. Present, all the members and the judge-advocate.

The record of yesterday's proceeding was read and approved.

There being no more witnesses and no further evidence that the court desired to have introduced, the court was cleared for deliberation, and, after careful examination of the foregoing evidence and of the instructions contained in the precept, agreed upon and adopted the following

REPORT:

Agreeably to the order of the Navy Department, dated November 30, 1877, the court has diligently "inquired into the cause or causes which led to, and the particulars of, the grounding and loss of the United States steamer Huron, Commander G. P. Ryan then commanding, on the coast of the State of North Carolina, and into the facts and incidents connected therewith."

The court has also carefully inquired "whether the instructions to officers commanding vessels of war on approaching land or shoals were observed, and especially whether paragraph 145, page 51, paragraph 56, page 41, and paragraph 4, page 58, Navy Regulations of A. D. 1876, were in all respects complied with."

From the evidence in the case, it appears that soundings were regularly taken every hour during the night of the 23d and 24th of November last.

There is a discrepancy in the evidence as to the depth of water as reported by the witnesses. From this discrepancy the court is unable

to find what soundings were actually reported, and, consequently, how far the indications of the lead would have served to keep the vessel off the coast. The court finds that some of the witnesses report the soundings as being up and down, and others that there was considerable drift.

The court finds that the deviation of the compasses was carefully established by Benjamin F. Greene, professor of mathematics, United States Navy, who is attached to the Bureau of Navigation and in charge of the compasses of the Navy, at Hampton Roads, in February, 1876; and that these deviations were furnished to the commanding officer of the Huron in a tabulated form for each point of the compass [for horizontal and heeling variations.]* These, together with the variation of the compass, should have made the direction of the Huron's keel south-southeast quarter east when steering a course south by east three-quarters east.

The court finds that with these compasses the ship made a cruise through the Windward Islands to Aspinwall and to Mobile and to Hampton Roads; that the navigating-officer made observations for local deviations in lower latitudes and again in the harbor of New York in November last, after the ship came out of dock; that the Huron was inspected in Hampton Roads in November, 1877, by a board of officers, ordered by Rear-Admiral Trenchard, commander-in-chief of the North Atlantic Squadron, to which the Huron was attached, which board reported the ship perfect in all her equipments and stores, and in good condition and ready for sea in all respects; that the Huron sailed from Hampton Roads on the 23d of November, 1877, by permission asked by signal of Rear-Admiral Trenchard by Commander Ryan, and was not ordered to proceed to sea without regard to weather by any authority whatever; that there was no weather-signal at Hampton Roads; that she took her departure at 1.25 p. m., Cape Henry light bearing west by south at the estimated distance of five to seven miles; that the course given by the standard compass was south by east three-quarters east, as testified by Ensign Young; that Master Conway gives the course south by east quarter east, differing from Ensign Young half point to the south; that Ensign Young's course is corroborated by Patrick Kane, ordinary seaman, who states that he looked at the standard compass three times while stationed at the life-buoy, and was certain that south by east three-quarter east was the course steered then; that the ship was steered on this course under reefed sails and steam, close-hauled, logging five to six knots, with forty to fifty pounds of steam, and three and a half holes of the throttle-valve open; moderate to fresh wind from the [southward of east],* moderate weather and hazy, with considerable sea; that the bearing, by standard compass, of Currituck light was taken at 6.45 p. m., estimated distance seven to eight miles; that this light was in sight at midnight, bearing sharp on the quarter; that the lookouts were stationed and vigilant; that nothing was omitted which could be done to save life and property after the vessel grounded; that the conduct of the officers and crew was admirable—cool and obedient to orders to the last; that officers and crew testify that they have no complaint to make against any of the surviving officersand crew of the Huron, and nothing to lay to the charge of any officer or man on the occasion of her loss or with regard thereto; and that she grounded and was lost about eight miles north of Body Island, as indicated on the chart attached to this report, soon after 1 o'clock a. m., November 24, 1877.

* Interlineation.—J. A. B.

The court finds that after the grounding of the vessel the sea swept so furiously over her, that all attempts to use the remaining boats were useless, some having been swept away or disabled before they could be used; that attempts to throw over the guns were made, but in vain, as the men were swept by the sea from the falls.

The concurrent testimony of all the officers and men is that the Huron was at the time of sailing from Hampton Roads and until her grounding thoroughly strong, staunch, sea-worthy, and well found. It is doubted by some of the witnesses whether she bilged under the heavy pressure to which she was subjected in driving up to six feet water, and one witness states that "it was a wonder to all that any ship should stand" such thumping "so well."

One witness also states that as she bumped her bottom buckled upward, and afterward, to all appearances, resumed each time its original form.

The engines performed well throughout, and only finally stopped when, apparently, the accumulation of sand under the stern and the deviation from line of the shaft stopped the revolving of the propeller.

The court find that paragraphs of the Navy Regulations of 1876, No. 145, page 51, No. 56, page 41, and No. 4, page 58, were complied with in all respects, and that the regulation in regard to bending chains refers, the court apprehends, only to vessels coming from sea; yet the court thinks it unwise and unseamanlike to unbend the chains in making what was intended to be a coasting voyage. The grounding of the Huron, however, is in no degree attributable to this error, for after she was on shore it was too late for the anchors to be of use.

Every officer in command of a ship is in supreme command. It is he who is responsible for her course; it is he who is to see that proper allowances are made for every cause which may deflect the vessel from her intended direction; and it is he who is responsible for any accident which may occur [from an error]* in her navigation.

The court is therefore of opinion that Commander Ryan is primarily responsible for the grounding and loss of the Huron. The navigating-officer is also responsible for not taking bearings to Currituck light after passing it and while it remained in sight, which, by showing the direction from a fixed point, would have established the Huron's proximity to land. It was his duty to take such bearings, even though not ordered to do so by the commanding officer..

The court does not find that any other officer or man is in any way responsible for the loss of the Huron, except, possibly, that the officers of the deck may not have personally inspected the soundings and seen that the depths reported were the perpendicular depths obtained.

The court, on examining the chart which is returned herewith as part of this record [and which is a duplicate of the one used on the Huron,]* that the soundings off this portion of the coast are so irregular, that depths less than twenty fathoms can give no reliable information in regard to position or distance from the shore.

In the opinion of the court, as before stated, the United States steamer Huron was a well-built, staunch, and sea-worthy vessel. Her engines performed well under all circumstances. There was no stress of wind or weather; and she proceeded to sea at the discretion of her commanding officer.

The requirements of sounding and taking bearings seem to have been observed [except that no back-bearings appear to have been taken, as

* Interlineation.

has already been stated, and]* [but]† the court does not consider that a seamanlike attention and precision were given to either the soundings or the bearings taken.

The court is of the opinion that no sufficient allowance was made for the inset toward the coast, and that the course steered was, from error of judgment, too much to the southward.

It is the opinion of the court that with due caution and by carefully taken and plotted bearings of Currituck light, the close proximity of the Huron to the coast would have been made manifest; and, furthermore, that it was unseamanlike to carry sail on a lee-shore, those sails lifting, and the natural desire to keep the sails full probably inducing the quartermaster to run to leeward of his course, and the lifting sails having a tendency to drag the vessel to leeward.

The foregoing report, findings, an dopinion having been agreed on and adopted by the court, the court, to enable the judge advocate to make up the record, adjourned to to-morrow, Saturday, December 15, at 10.30 a. m.

JOHN A. BOLLES,
Naval Solicitor, Judge-Advocate.

NAVY DEPARTMENT,
December 15, 1877.

The court met as per adjournment, and the judge-advocate not having been able to complete the record, it adjourned to Monday next, December 17, at 10.30 a. m.

JOHN A. BOLLES,
Naval Solicitor, Judge-Advocate.

NAVY DEPARTMENT,
Monday, December 17, 1877.

The court met according to adjournment. Present, all the members and the judge-advocate.

Friday's and Saturday's record was read and approved, with the following amendments, viz: Three words interlined on page 135 [p. 34], and four erased on same page; the words and figures, "56, page 41," erased on page 132 [p. 33]; the words "for horizontal and heeling variations," inserted on [p. 34]; the words "from an error," inserted on page 139 [p. 35]; two (?) lines inserted on page 140, [p. 35]; one word erased and one (?) line inserted on pages 140, 141 [p. 35]; as indicated by the initials J. A. B. in the margins of those pages.

The following sentence was adopted as the concluding passage in the finding and opinion of the court, viz:

"In conclusion, the court would state that the evidence shows that many well-found merchant-steamers, wooden and iron, commanded by experienced navigators of our coast, have been wrecked near the point on which the Huron was lost."

As thus amended, the court adopted the report.

S. C. ROWAN,
Vice-Admiral, and President.

JOHN A. BOLLES,
Naval Solicitor, Judge Advocate.

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* Interlineation. † Interlineation, but erased.

A.

NAVY DEPARTMENT,
Washington, D. C., November 30, 1877.

By virtue of the authority contained in section 1624 of the Revised Statutes of the United States, article 55, for the government of the Navy, I hereby appoint Vice-Admiral S. C. Rowan president, and Rear-Admiral John Rodgers and Commodore R. H. Wyman members, and John A. Bolles judge-advocate, of a court of inquiry, which is ordered to convene at the Navy Department, in the city of Washington, District of Columbia, on Wednesday, the 5th day of December next, for the purpose of inquiring into the cause or causes which led to, and the particulars of, the grounding and loss of the United States steamer Huron, Commander G. P. Ryan at that time commanding, on the coast of the State of North Carolina, United States of America, in about 35° 54′ north latitude, and in about 75° 34′ west longitude, upon the 24th day of November, A. D. 1877, and into all the facts and incidents connected therewith.

The court will carefully inquire whether the instructions to officers commanding vessels of war, on approaching land or shoals, were observed, especially whether paragraph 145, page 51, paragraph 56, page 41, and paragraph 4, page 58, Navy Regulations of A. D. 1876, were in all respects complied with.

The court is directed to give an opinion as to who are, or who were, in its judgment, responsible for the grounding and loss of the United States steamer Huron at the time and place before mentioned in this precept; and it will also give an opinion, based upon such testimony as may be elicited from the examination of surviving officers and men of the United States steamer Huron, as to whether all practicable means were taken to save the ship, and the lives of the officers and crew, after the vessel had grounded; and as to the seaworthiness, or otherwise, of the United States steamer Huron upon the 24th day of November, 1877, the day upon which that vessel sailed from Hampton Roads; and also whether the United States steamer Huron was ordered to proceed to sea, without regard to the state of the weather, by any person superior in rank or in authority to the late Commander G. P. Ryan.

The court will be governed in its investigation by the "Orders, Regulations, and Instructions for the Administration of Law and Justice in the United States Navy," issued by the Navy Department of the United States April 15, 1870.

Given under my hand at the Navy Department of the United States, this 30th day of November, A. D. 1877.

R. W. THOMPSON,
Secretary of the Navy.

The following are true copies.
Attest:

JOHN A. BOLLES,
Naval Solicitor, Judge-Advocate.

B.

NAVY DEPARTMENT,
Washington, November 30, 1877.

SIR: I transmit herewith a precept for a naval court of inquiry, of

which you are appointed president, ordered to convene at the Navy Department, Washington, D. C., on Wednesday, the 5th day of December next.

Very respectfully,

R. W. THOMPSON,
Secretary of the Navy.

Vice-Admiral S. C. ROWAN, U. S. N.,
Washington, D. C.

C.

NAVY DEPARTMENT,
Washington, November 30, 1877.

SIR: A naval court of inquiry, of which you are appointed a member, is ordered to convene at the Navy Department, Washington, D.C., on the 5th day of December, 1877, at which time and place you will appear and report yourself to the presiding officer of the court.

I am, respectfully, yours,

R. W. THOMPSON,
Secretary of the Navy.

Rear-Admiral JOHN RODGERS, U. S. N.,
Superintendent Naval Observatory, Washington, D. C.

D.

NAVY DEPARTMENT, *November* 30, 1877.

SIR: A naval court of inquiry, of which you are appointed a member, is ordered to convene at the Navy Department, Washington, D.C., on the 5th day of December, 1877, at which time and place you will appear and report yourself to the presiding officer of the court.

I am, respectfully, yours,

R. W. THOMPSON,
Secretary of the Navy.

Commodore R. H. WYMAN,
Superintendent Hydrographic Office, Washington, D. C.

E.

NAVY DEPARTMENT, *November* 30, 1877.

SIR: A naval court of inquiry, of which you are appointed judge-advocate, is ordered to convene at the Navy Department, Washington, D. C., on the 5th day of December, 1877, at which time and place you will appear and report yourself to the presiding officer of the court.

I am, respectfully, yours,

R. W. THOMPSON,
Secretary of the Navy.

Hon. JOHN A. BOLLES,
Naval Solicitor, Navy Department, Washington, D. C.

The foregoing papers, marked B, C, D, and E, are true copies of the originals.

Attest:

JOHN A. BOLLES,
Naval Solicitor, Judge-Advocate.

DECEMBER 5, 1877.

F.

UNITED STATES NAVY DEPARTMENT,
Washington, D. C., December 5, 1877.

I hereby certify that the annexed are true copies from the records and files of this department:

Letter of the Secretary of the Navy to Commander Ryan, October 13, 1877.

Telegram from the Secretary of the Navy to Rear-Admiral Trenchard, November 16, 1877.

Telegram from the Secretary of the Navy to Rear-Admiral Trenchard, November 17, 1877.

Telegram from Rear-Admiral Trenchard to the Secretary of the Navy, November 17, 1877.

Telegram from Rear-Admiral Trenchard to the Secretary of the Navy, November 17, 1877.

Letter from Rear-Admiral Trenchard to the Secretary of the Navy, November 19, 1877.

Telegrams from the commandant of the navy-yard, Norfolk, to the Secretary of the Navy, November 19 and November 20, 1877, and telegram from Rear-Admiral Trenchard to the Secretary of the Navy, November 23, 1877.

JNO. W. HOGG,
Chief Clerk.

Be it known that John W. Hoog, whose name is signed to the above certificate, is now, and was at the time of so signing, chief clerk in the Navy Department, and that full faith and credit are due to all his official attestations as such.

In testimony whereof I have hereto subscribed my name and caused the seal of the Navy Department of the United States to be affixed, at the city of Washington, this fifth day of December, in the year of our Lord one thousand eight hundred and seventy-seven, and of the Independence of the United States the one hundred and second.

[SEAL.] R. W. THOMPSON,
Secretary of the Navy.

NAVY DEPARTMENT,
Washington, October 13, 1877.

SIR: On the 15th November proximo, or as soon after as the Huron, under your command, is ready for sea, you will proceed to Havana, island of Cuba, whence carrying your longitude from the determined position of the Mora, 82 °21′ 30″ west, you will make a reconnaissance of the coast of Cuba, determining the doubtful points in positions, in coast-lines and in outlying dangers, in accordance with the summary show-

ing the discrepancies on standard charts, &c., with references and notes for your guidance, furnished by the Hydrographic Office to the Bureau of Navigation by direction of this department, and already forwarded you by express.

The vessel under your command is still attached to the North Atlantic station and performing this special service in connection with those of a cruiser. You will therefore keep the commander-in-chief fully advised, and in advance, of your movements, as far as possible, as well as this department and the Bureau of Navigation of the progress of the scientific work in which you are engaged.

Very respectfully,

R. W. THOMPSON,
Secretary of the Navy.

Commander G. P. RYAN,
Commanding United States Steamer Huron,
Navy-Yard, New York.

[Telegram.]

NAVY DEPARTMENT,
Washington, November 16, 1877.

Rear-Admiral TRENCHARD, *United States Navy,*
Fortress Monroe, Virginia:

Department would like to communicate with Huron before she sails, if not too late.

R. W. THOMPSON,
Secretary of the Navy.

[Telegram.]

NAVY DEPARTMENT,
Washington, November 17, 1877.

Rear-Admiral TRENCHARD,
Hampton Roads, Virginia:

Let Huron wait arrival of draughtsman, to go out in her.

R. W. THOMPSON,
Secretary of the Navy.

[Telegram.]

FORTR. MONROE, *November* 17, 1877.

To Hon. R. W. THOMPSON,
Secretary of Navy, Washington, D. C.:

Huron arrived from New York this p. m.

S. D. TRENCHARD,
Rear-Admiral, Commanding.

[Telegram.]

FORT. MONROE, VIRGINIA,
November 17, 1877—8.15 p. m.

To Hon. R. W. THOMPSON,
Secretary of the Navy, Washington, D. C.:

The Huron will be detained to await the pleasure of the department.

S. D. TRENCHARD,
Rear-Admiral.

No. 164.]

FLAG-SHIP POWHATAN,
Hampton Roads, Virginia, November 19, 1877.

SIR: The department's telegrams of November 17, concerning the movements of the United States steamer Huron, have been received. She will await the arrival of the draughtsman.

Very respectfully, your obedient servant,

STEPHEN D. TRENCHARD,
Rear-Admiral, Commanding United States Naval Force on North Atlantic Station.

Hon. R. W. THOMPSON,
Secretary of the Navy, Washington, D. C.

[Telegram.]

PORTSMOUTH, VA.,
November 19, 1877. (Received at 10.34 a. m.)

To Hon. SECRETARY OF THE NAVY,
Washington, D. C.:

The Huron arrived at this yard last Saturday evening for coal.

J. BLAKELEY CREIGHTON,
Commodore and Commandant.

[Telegram.]

PORTSMOUTH, VA.,
November 20, 1877. (Received at 3.28 p. m.)

To Hon. SECRETARY OF THE NAVY,
Washington, D. C.:

The Huron, having finished coaling, left the yard this afternoon.

J. BLAKELEY CREIGHTON,
Commodore and Commandant.

[Telegram.]

FORT MONROE, VIRGINIA,
November 23, 1877. (Received at 11.40 a. m.)

To Hon. R. W. THOMPSON,
Secretary of the Navy, Washington, D. C.:

The Huron sailed for Havana ten this morning.

S. D. TRENCHARD,
Rear-Admiral.

G.

UNITED STATES NAVY DEPARTMENT,
Washington, D. C., December 5, 1877.

I hereby certify that the annexed is a true copy of the report of a maximum steam trial of the United States steamer Huron, of four hours' duration, on the Hudson River, dated October 30, 1877.

JOHN W. HOGG,
Chief Clerk.

Be it known that John W. Hogg, whose name is signed to the above certificate, is now, and was at the time of so signing, chief clerk in the Navy Department, and that full faith and credit are due to all his official attestations as such.

In testimony whereof I have hereunto subscribed my name and caused the seal of the Navy Department of the United States to be affixed at the city of Washington this fifth day of December, in the year of our Lord one thousand eight hundred and seventy-seven, and of the Independence of the United States the one hundred and second.

[SEAL.] R. W. THOMPSON,
Secretary of the Navy.

Report of a maximum steam trial of the United States steamer Huron.

NAVY-YARD, NEW YORK,
October 30, 1877.

SIR: In obedience to your order dated October 4, 1877, we have made a maximum steam trial of the United States steamer Huron, of four hours' duration, on the Hudson River.

The trial was made on the 29th instant, commencing directly opposite Thirty-seventh street, New York, at ten minutes past eleven o'clock a. m. m., and after a run up the river as far as Irvington, was ended at thirty-two minutes past three p. m., at the same point whence the start was made.

Two stoppages were made during this time; the first was at 12.16 p. m., for twelve minutes, to pick up a man who fell overboard, and the second was for seven minutes, at 12.59 p. m., in making the turn at Irvington.

The vessel was propelled by steam alone. The tide was slack low water when the trial commenced, and running strong flood when it ended, with a velocity estimated by the pilot and board as equal to two and one-half knots per hour. The wind was aft going up the river, and ahead on the return. Its force was from three to four. The river was smooth. The draught of the vessel was carefully taken at the commencement and end of the trial. It was eleven feet and six inches forward, and thirteen feet and seven inches aft. The bunkers were full of coal, and the vessel in all respects ready for sea. The speed recorded was obtained by Massey's patent log, and observations of bearings on shore. The maximum speed obtained by the ship-log was nine and three-quarter knots per hour. The total distance run, as recorded by the Massey log, during the trial was forty and one-half knots. Average speed, ten knots of 6,080 feet per hour, by Massey's log and the observation of bearings on shore.

The vessel came out the dry-dock about two months ago, and its iron hull is only tolerably clean. All the furnaces in the five boilers were used during the trial, and the steam-jet was used most of the time. The condition of the fires was carefully observed by the board at the commencement of the trial, and they were left in as nearly the same condition as possible at its close.

The coal used was anthracite of good quality. The total amount consumed was 8,608 pounds; total amount of refuse remaining, 590 pounds. The per cent. of refuse was seven. The maximum indicated horse-power of the high-pressure engine during the trial was 325, and of the low-pressure engine during the same time, 350.65. The average indicated

orse-power, during the trial, of the high-pressure engine was 300.4; of ie low-pressure engine, 304.90. Total average indicated horse-power f both engines, 605.30. Average amount of coal consumed per indi-ated horse-power was 3.55 pounds for each. This large expenditure as caused by feeding and blowing to stop boilers from foaming. The oilers were tight and their appendants were in good order.

The auxiliary feed-pumps had to be used at frequent intervals on ccount of the boilers foaming. Near the close of the trial, a tube com-enced to leak in No. 3 boiler.

The indicators used were those belonging to the vessel, known as ie Richards patent. Their springs were tested and found correct be-re they were used. The scale of the high-pressure indicator is forty ounds per inch, and that of the low-pressure indicator is twenty pounds er inch. Diagrams were taken every fifteen minutes during the trial. The performance of the machinery was entirely satisfactory in every espect. A copy of the steam-log and copies of all the indicator dia-rams are forwarded herewith. The power of the screw to back the essel was carefully tested, and found to be entirely satisfactory. When ie ship was going at full speed ahead, the order was given to back the ngines, and the ship was going astern in one minute and fifteen seconds. rom a state of rest, stern-board was obtained by backing the engines r fifteen seconds.

Very respectfully,

E. D. ROBIE,
Chief Engineer, United States Navy.
E. J. WHITTAKER,
Chief Engineer, United States Navy.
E. M. OLSON,
Chief Engineer, United States Navy.

Commodore J. W. A. NICHOLSON, U. S. N.
Commandant Navy-Yard, New York.

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etter from Commodore J. B. Creighton, Commandant Navy-Yard, Norfolk.

UNITED STATES NAVY YARD,
Norfolk, December 15, 1877.

SIR: I have the honor to submit to the department the accompanying eport, &c., from Lieut. Commander James G. Green, United States avy, relative to the duties he was sent to perform in connection with he wreck of the Huron.

It is a source of great gratification that he and his party discharged heir duties with such zeal, fidelity, and thoroughness; and I respect-ully recommend Lieutenant-Commander Green, his officers and men, to he favorable notice and consideration of the department.

Very respectfully, your obedient servant,

J. BLAKELEY CREIGHTON,
Commodore, Commanding.

Hon. R. W. THOMPSON,
Secretary of the Navy,
Navy Department, Washington, D. C.

Be it known that John W. Hogg, whose nar
certificate, is now, and was at the time of so s
Navy Department, and that full faith and cr
cial attestations as such.

In testimony whereof I have hereunto sul
the seal of the Navy Department of the
at the city of Washington this fifth da
our Lord one thousand eight hundred
Independence of the United States the

[SEAL.]

Report of a maximum steam trial

SIR: In obedience to your or
a maximum steam trial of the
hours' duration, on the Huds

The trial was made on the
Thirty-seventh street, New Y
m., and after a run up the r
two minutes past three p. r
made.

Two stoppages were ma
m., for twelve minutes, t
second was for seven r
Irvington.

The vessel was prop
water when the trial
ended, with a velocity
and one-half knots pe
ahead on the return.
smooth. The drau
mencement and en
ward, and thirteer
coal, and the vess
obtained by Mas
The maximum s
knots per hour.
during the tria
of 6,080 feet p
on shore.

The vessel
hull is only
used during
condition o
mencemen
tion as po

The coa
sumed wa
The per c
of the l
pressur

NAVY-YARD,
December 14, 1877.

Truxton, United States
November 27, 1877, I
consisting of Master Chas.
F. H. Harrington, United
George Arthur, United
On my arrival there, I
the wreck of the United State
of two men (Carson and Arm
on shore from the wreck. I ha
the same time that other bodies ha
Lieutenant Harrington, Assistant Sur
the wreck to take charge of anyth
and started with Mr. Clark and fi
up the coast. As I proceeded up th
along, from one to seven miles apar
from the scene of the wreck.
of eight officers and seventy-five men
sixty-one men.
at the poles of the government telegra
bered systematically, the number of m
by numeral and the poles in each mile b
the bodies that I could hear of as having come
the fact by telegraph to Captain Truxton and to
Secretary of the Navy, and returned to Nag's Head to
recovered were in an advanced state of decomposition.
cases necessary for transportation.
bodies could be identified by their features; the other
bodies and clothes.
instant, I received a telegram from the honorable Secre
Navy, authorizing me to return to Norfolk with the whole
immediately, arriving here on the 12th, bringing the body
Chapman (paymaster's yeoman), taken from the wreck by the
indebted to the members of the Palmer Island, Currituck, and
Light-House Clubs, and particularly to the keeper of the Cur
Beach light-house (Mr. Burroughs and family), for their kindness
hospitality to myself and party.
William T. Brinkley, of Nag's Head, and Messrs. Baum and Pa
of Currituck, did everything in their power to assist me, as well as
keepers of life-saving stations Nos. 4, 5, and 6.
Before closing my report I would respectfully call your favorable at
attention to the conduct of Master Charles A. Clark, United States Navy.
He was ever zealous, vigilant, and indefatigable in the discharge of his
arduous duties while assisting me during my stay on the beach; and
also my thanks are due to Lieut. F. H. Harrington, United States
Marine Corps, and Assistant Surgeon Arthur, for their untiring efforts
to assist me in every way in their power.
The marines rendered efficient service in patrolling the beach night
and day, for a distance of seven miles north and south of the wreck.
The sailors who were with me did their disagreeable duty of recovering

er all circumstances, particu-
a most of the bodies were iden-
with India-ink and recognized

chart giving the location of each

ent servant,

JAS. G. GREEN,
ant-Commander, United States Navy.
EIGHTON, U. S. N.,
aval Station, Norfolk, Va.

---

officers and men lost on the United States uron, November 24, 1877.

LIST OF OFFICERS.

.IX.	Passed Assistant Paymaster C. N. Sanders ..... 65–XXI.
V.	Captain's Clerk Gillett ... 69–VII.
-IV.	Cadet-Engineer E. W. Loomis ..... 70–VI.
-X.	

CREW.

Nag's Head.	Jackson, Green..... 67–XII.
. 71–V.	Jones, George..... 64–XXII.
.. 68–XIV, N.	Keatly, Charles ..... 77–XXV.
... 68–VI.	Laughlin, Thos..... 63–XII.
.... 62–III.	Martin, J..... 75–IX.
.... 70–VI.	Morris, M..... 76–VIII.
..... 68–XXI.	Malcolm, George ..... 68–VI.
..... 67–XXII.	McCourt, Henry..... 65–IV.
..... 67–XII.	McLane, Charles ..... 63–XXIV.
..... 67–V.	McCullum, Frank ..... 62–XXVI.
..... 65–XVIII, N. 4.	Murray, Alex ..... 62–V.
..... 65–XVIII, N. 3.	Monroe ..... 66–XXVI.
..... 65–XVIII, N. 1.	Mahone, John..... 57–V.
..... 52–XX.	Olliver, Adam ..... 74–XIX.
..... 75–VI.	Overbaugh, Acman..... 70–IV.
arles..... Nag's Head.	Pierce, Franklin..... 75–XIX.
rles..... Nag's Head.	Price, G. W..... 71–XIX.
Ewd..... 65–XXI.	Pooler, Charles ..... 70–XVII.
ia..... 59–XXVI.	Pine, Edward..... 61–IX.
. H. F..... 79–V.	Rogers, Bernard..... 82–II.
-e, W. S..... 66–XV.	Roberts, George..... 83–II.
Herman..... 71–I.	Rorick, Frederick ..... 62–XXII.
Mathew ..... 53–XI.	Stanton, Wm..... 72–XVI.
ty, Hugh..... 68–XXIV.	Saylor, Albert. ..... 71–XXV.
ge, William ..... 68–XVI.	Snyder, Charles..... 66–XV.
nlorn, Joseph..... 67–XVII.	Sullivan..... 63–XXVIII.
ayes, John..... 65–XVIII.	Stringer, David..... 63–XIII.
Hans, Conrad..... 62–XIX.	Toomey, John J..... 62–XXI.
Hamilton, George..... 52–XX.	Tiemais, John. ..... 61–IX.
Harris, Elias ..... 71–XVII.	Waters, Henry..... 66–XXIII.
Ingraham, Robt ..... 71–XIV.	

BODIES NOT IDENTIFIED.

Unknown (leg and arm). 79–O.	Unknown (ward-room boy)..... 65–XVIII.
Unknown (marine)..... 76–XXV.	Unknown (colored)..... 65–VIII.
Unknown..... 76–VIII.	Unknown. ..... 63–X.
Unknown (No. 86, leg, foot, arm; seaman).... 70–VI, N.	Unknown (marine)..... 62–III.
Ward-room steward..... 70–VI, S.	Unknown ..... 61–IX.
Unknown (marine)..... 66–XXV.	Unknown ..... 61–IV.
Unknown (A. C. Arms; leg, foot, arm)..... 65–XX.	Unknown (colored)..... 67–XV.

Report of Lieut. Commander J. G. Green.

UNITED STATES NAVY-YARD,
Norfolk, Va., December 14, 1877.

SIR: In obedience to orders from Capt. W. T. Truxton, United States Navy, acting commandant of this station, dated November 27, 1877, I proceeded to Nag's Head in charge of a party consisting of Master Chas. A. Clark, United States Navy, First Lieut. F. H. Harrington, United States Marine Corps, and Assistant Surgeon George Arthur, United States Navy, with thirteen sailors and marines. On my arrival there, I proceeded immediately to the scene of the wreck of the United States steamer Huron, and found the bodies of two men (Carson and Armstrong) that had just been brought on shore from the wreck. I had them buried there, and, learning at the same time that other bodies had been found further north, I left Lieutenant Harrington, Assistant Surgeon Arthur, and the marines at the wreck to take charge of anything of value that might come on shore, and started with Mr. Clark and five sailors, survivors from the Huron, up the coast. As I proceeded up the beach, I found bodies scattered along, from one to seven miles apart, for a distance of forty miles from the scene of the wreck.

I examined, in all, the bodies of eight officers and seventy-five men, identifying eight officers and sixty-one men.

All the bodies were buried at the poles of the government telegraph lines, the poles being numbered systematically, the number of miles from Norfolk being designated by numeral and the poles in each mile by Roman characters.

Having examined all the bodies that I could hear of as having come on shore, I reported the fact by telegraph to Captain Truxton and to the honorable Secretary of the Navy, and returned to Nag's Head to await further instructions.

All the bodies recovered were in an advanced state of decomposition, rendering metallic cases necessary for transportation.

Only six of the bodies could be identified by their features; the others by marks on their bodies and clothes.

On the 11th instant, I received a telegram from the honorable Secretary of the Navy, authorizing me to return to Norfolk with the whole party. I left immediately, arriving here on the 12th, bringing the body of Charles Chapman (paymaster's yeoman), taken from the wreck by the divers.

I feel indebted to the members of the Palmer Island, Currituck, and Currituck Light-House Clubs, and particularly to the keeper of the Currituck Beach light-house (Mr. Burroughs and family), for their kindness and hospitality to myself and party.

Mr. William T. Brinkley, of Nag's Head, and Messrs. Baum and Payner, of Currituck, did everything in their power to assist me, as well as the keepers of life-saving stations Nos. 4, 5, and 6.

Before closing my report I would respectfully call your favorable attention to the conduct of Master Charles A. Clark, United States Navy. He was ever zealous, vigilant, and indefatigable in the discharge of his laborious duties while assisting me during my stay on the beach; and also my thanks are due to Lieut. F. H. Harrington, United States Marine Corps, and Assistant Surgeon Arthur, for their untiring efforts to assist me in every way in their power.

The marines rendered efficient service in patrolling the beach night and day, for a distance of seven miles north and south of the wreck. The sailors who were with me did their disagreeable duty of recovering

and identifying the bodies cheerfully, under all circumstances, particularly Samuel Clark (O. S. E. F.), by whom most of the bodies were identified, he having marked a great many with India ink and recognized the mark wherever found.

I inclose a list of the graves, also a chart giving the location of each grave.

Very respectfully, your obedient servant,

JAS. G. GREEN,
Lieutenant-Commander, United States Navy.

Commodore J. BLAKELEY CREIGHTON, U. S. N.,
Commanding Naval Station, Norfolk, Va.

List and location of graves of officers and men lost on the United States steamer Huron, November 24, 1877.

LIST OF OFFICERS.

Commander Geo. P. Ryan	69-IV.
Lieut. S. A. Simons	71-XIX.
Lieut. L. G. Palmer	67-V.
Ensign F. W. Danner	75-IV.
Surgeon Geo. S. Culbreth	66-X.
Passed Assistant Paymaster C. N. Sanders	65-XXI.
Captain's Clerk Gillett	69-VII.
Cadet-Engineer E. W. Loomis	70-VI.

CREW.

Armstrong	Nag's Head.
Burns, Frank	71-V.
Brophy	68-XIV, N.
Brown, Thomas	68-VI.
Buder, Wm	62-III.
Clark, Jos	70-VI.
Coffee	68-XXI.
Curry, John	67-XXII.
Carey, Alonzo	67-XII.
Childs, Alex. M	67-V.
Carroll, James	65-XVIII, N. 4.
Chadwick, Wm	65-XVIII, N. 3.
Collins, Patrick	65-XVIII, N. 1.
Clayton, D. M	52-XX.
Cooper	75-VI.
Chapman, Charles	Nag's Head.
Carson, Charles	Nag's Head.
Donnelly, Ewd	65-XXI.
Davis, Alma	59-XXVI.
Emerson, H. F	79-V.
Entwistle, W. S	66-XV.
Fensse, Herman	71-I.
Green, Mathew	53-XI.
Harrity, Hugh	68-XXIV.
Hodge, William	68-XVI.
Hanlon, Joseph	67-XVII.
Hayes, John	65-XVIII.
Hans, Conrad	62-XIX.
Hamilton, George	52-XX.
Harris, Elias	71-XVII.
Ingraham, Robt	71-XIV.
Jackson, Green	67-XII.
Jones, George	64-XXII.
Keatly, Charles	77-XXV.
Laughlin, Thos	63-XII.
Martin, J	75-IX.
Morris, M	76-VIII.
Malcolm, George	68-VI.
McCourt, Henry	65-IV.
McLane, Charles	63-XXIV.
McCullum, Frank	62-XXVI.
Murray, Alex	62-V.
Monroe	66-XXVI.
Mahone, John	57-V.
Olliver, Adam	74-XIX.
Overbaugh, Acman	70-IV.
Pierce, Franklin	75-XIX.
Price, G. W	71-XIX.
Pooler, Charles	70-XVII.
Pine, Edward	61-IX.
Rogers, Bernard	82-II.
Roberts, George	83-II.
Rorick, Frederick	62-XXII.
Stanton, Wm	72-XVI.
Saylor, Albert	71-XXV.
Snyder, Charles	66-XV.
Sullivan	63-XXVIII.
Stringer, David	63-XIII.
Toomey, John J	62-XXI.
Tiemais, John	61-IX.
Waters, Henry	66-XXIII.

BODIES NOT IDENTIFIED.

Unknown (leg and arm)	79-O.
Unknown (marine)	76-XXV.
Unknown	76-VIII.
Unknown (No. 86, leg, foot, arm; seaman)	70-VI, N.
Ward-room steward	70-VI, S.
Unknown (marine)	66-XXV.
Unknown (A. C. Arms; leg, foot, arm)	65-XX.
Unknown (ward-room boy)	65-XVIII.
Unknown (colored)	65-VIII.
Unknown	63-X.
Unknown (marine)	62-III.
Unknown	61-IX.
Unknown	61-IV.
Unknown (colored)	67-XV.

Officers identified	8
Men identified	61
Men not identified	14
Total	83

Respectfully submitted.

JAMES G. GREEN,
Lieutenant-Commander, United States Navy.

Officers saved from the wreck of the United States steamer Huron.

Master William P. Convey.
Ensign Lucien Young.
Assistant Engineer Robert G. Denig.
Cadet Engineer Edgar T. Warburton.

List of officers lost on the Huron.

Commander Geo. P. Ryan.
Lieutenant Sidney A. Simons.
Lieutenant L. G. Palmer.
Master J. M. Wight.
Master W. S. French.
Ensign F. W. Danner.
Surgeon George S. Culbreth.
Passed Assistant Paymaster C. N. Sanders.
Chief Engineer E. M. Olson.
Cadet Engineer E. N. Loomis.
Draughtsman John J. Evans.
Captain's Clerk Gillett.

Enlisted men of the Huron saved.

Harry W. Avery	Second-class fireman.
W. W. Brooks	Second-class painter.
Daniel Burgan	Ordinary seaman.
Samuel Clark	Second-class fireman.
John Collins	Captain forecastle.
Thomas Carley	Landsman.
Peter Duffy	Second-class fireman.
Michael Durkin	Landsman.
Daniel Devoy	First-class fireman.
Denis Deasey	Cooper.
Frederick Hoffman	Ordinary seaman.
W. L. Houseman	Carpenter.
John E. Holland	Master at arms.
Joseph Hynes	Master at arms.
Patrick Kane	Ordinary seaman.
Michael Kennedy	Landsman.
August Lindguist	Coxswain.
Joseph Murphy	Ship's cook.
Frank May	Landsman.
William McHugh	Ordinary seaman.
Harry Nelson	Landsman.
Dom. O'Donnell	Ordinary seaman.
Edward Aaronburg	Private marine.
Thomas Price	Landsman.
J. J. Robertson	Ordinary seaman,
Robert Sampson	Landsman.
E. P. Trainor	Seaman.
Michael Trainor	Captain of guard.
Frank Watts	First-class fireman.
Antonio Williams	Seaman.
Edward Aaronburg	Private marine.

List of men lost in the late United States steamer Huron.

Armstrong, Thomas	Seaman.
Barrett, Wm. L	Second-class fireman.
Boyle, William	Bayman.
Brown, Thomas M	Second-class fireman.

Burns, Frank	Seaman.
Buder, Wm	Landsman.
Banks, Patrick	Landsman.
Carey, A. W	Landsman.
Carson, Alfred	Machinist.
Carson, Chas	Landsman.
Chadwick, Wm	Quartermaster.
Chapman, Chas	Paymaster's yeoman.
Childs, Alex. M	Chief gunner's mate.
Clayton, David	First-class fireman.
Collins, Patrick	First-class fireman.
Cooper, James	Ship's corporal.
Cooper, R. J	Landsman.
Couch, James	Captain forecastle.
Curry, John	Second-class fireman.
Clark, Jos. N	Landsman.
Davies, Alma	Baker.
Donnally, Edward	First-class fireman.
Emerson, H. F	Quartermaster.
Entwistle, W. S	Engineer's yeoman.
Fuess, Herman	Cook's mate.
Green, Matthew	Chief boatswain's mate.
Green, William	Yeoman.
Hahn, Conrad H	First-class fireman.
Hayes, John	Ordinary seaman.
Hayes, Matthias	Wardroom cook.
Hamilton, George	Machinist.
Harris, Elias	Landsman.
Harrity, Hugh	Boiler-maker.
Hodge, Wm	Ordinary seaman.
Ingham, Robt	Boatswain's mate.
Jackson, Green	Coal-heaver.
Jones, Geo	Wardroom officer's cook.
Keithley, Chas. W	Captain afterguard.
Loughran, Thos	Quarter-gunner.
Monroe, ——	Apothecary.
Mahon, John	Bugler.
Malcolm, George	Machinist.
Martin, Joseph	Cabin steward.
McCallum, Frank	Quartermaster.
McCourt, Henry	Machinist.
McFarlane, Thos	Coppersmith.
McLance, Chas	Seaman.
Merrill, Jno. M	Chief quartermaster.
Millar, Geo. W	Cabin cook.
Overbaugh, Acman	Landsman.
Pierce, Jas. F	Carpenter.
Pooler, Chas	Armorer.
Price, Geo. W	Ship's writer.
Pyne, George	Landsman.
Ponteflet, Adolphus	
Rivola, Gustav C	Steerage steward.
Roberts, George	Jack of dust.
Rathje, O. F	Seaman.
Roll, Jesse	Ordinary seaman.
Rogers, Bernard	Landsman.
Sailor, Albert	Quarter-gunner.
Schneider, Chas	Cockswain.
Stanton, William	First-class fireman.
Stunger, David	Captain hold.
Sullivan, J. W	Wardroom officer's steward.
Tierney, John	Landsman.
Twoomey, John	Cockswain.
Wittern, Henry	Second-class fireman.
Tiger, Jeremiah	Landsman.

The foregoing list is made up from returns received by this bureau.

Three other men are believed to have been lost in the Huron, but the bureau is not yet fully satisfied as to their names.

R. W. SHUFELDT,
Chief of Bureau.

UNITED STATES NAVY DEPARTMENT,
Bureau Equipment and Recruiting,
January 7, 1878.

Muster-roll of a guard of non-commissioned officers and privates of United States Marines, on board the United States steamer Huron, in charge of First Sergeant William Torrance, November 24, 1877.

Names.	Rank.	Remarks.
1. Torrence, William	1st Serg't	Drowned.
2. Oliver, Adam	Corporal	Do.
3. Burke, Joseph J	Do.	Do.
4. Aaronburg, Edward	Private	Saved (so reported); now on board Franklin
5. Brophy, James	Do.	Drowned.
6. Cameron, Alexander	Do.	Drowned; buried at Naval Hospital, Norfolk, Va.
7. Carroll, William	Do.	Drowned.
8. Coffey, Stephen J	Do.	Do.
9. Hanlon, Joseph	Do.	Do.
10. Linch, Alexander	Do.	Do.
11. Murray, Alexander	Do.	Do.
12. McDevitt, James	Do.	Do.
13. Rohrick, John	Do.	Do.
14. Shea, Patrick	Do.	Do.
15. Wilkins, William	Do.	Do.

C. G. McCAWLEY,
Colonel, Commandant.

HEADQUARTERS UNITED STATES MARINE CORPS,
Washington, D. C., November 29, 1877.

For the information of Navy Department.

Report on construction and strength of the Huron.

NAVY DEPARTMENT,
BUREAU OF STEAM ENGINEERING,
Washington, December 14, 1877.

SIR: In obedience to your order of the 13th instant, I have the honor to inclose herewith the calculations and conclusions on the strength of the hull of the United States steamer Huron. Upon examination it will be seen that it was amply strong for that class of vessels, and would no doubt have rendered good and efficient service for many years if there had been nothing to contend with more than the usual wear and tear incident to ocean service.

Very respectfully,

W. H. SHOCK,
Chief of Bureau.

HON. R. W. THOMPSON,
Secretary of the Navy.

UNITED STATES STEAMER HURON.

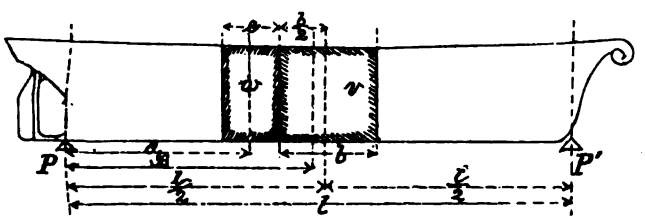
Length between perpendiculars, feet	175
Beam, feet	32
Draught of water (mean), feet	12.29
Displacement, tons	1,020
Weight of coal in bunkers, tons	124
Weight of boilers and appendages, including water, tons	73
Weight of engines (estimated), tons	118

The center of the boilers lies in the exact center between the perpendiculars of the vessel, and the coal is stowed nearly symmetrically around them. The center of the engines lies 25 feet 3 inches abaft the center of the boilers.

In the following calculations it is assumed that the combined weights of the boilers and of the coal, viz, 197 tons, are evenly distributed over a space extending 15.75 feet forward of, and the same distance abaft, the center line of the vessel. In like manner it is assumed that the weight of the engines, viz, 118 tons, is evenly distributed over a space of 19 feet in the fore and aft direction of the vessel, the center of weight lying 25.25 feet abaft the center of the vessel. The remaining weight of hull and equipment is assumed to be evenly distributed over the whole length between the perpendiculars.

It is evident that, under these conditions, the greatest bending moment will be produced when the vessel is supported at the two extreme ends, a case which may never occur in practice, but will serve as a standard for measuring the strength of the vessel under different conditions.

Let the accompanying sketch represent the distribution of weights under the assumed conditions.



$l = 175$ feet = distance between supports P and P′.

$b = 31.5$ feet = space occupied by boilers and coal.

$a = 62.25$ feet = distance of center of gravity of engines from after-support.

$e = 19$ feet = length over which the weight of engines is distributed.

x = distance of point of maximum stress from P.

$W = 705$ tons = weight of hull and equipment evenly distributed between P and P′.

$v = 197$ tons = weight of boilers and coal.

$w = 118$ tons = weight of engines.

P = pressure on after support.

M = bending moment.

Under these conditions we shall get:

$$P = \frac{W}{2} + \frac{v}{2} + w \times \frac{l-a}{l} = 527.02 \text{ tons.} \qquad (1)$$

$$M = P\,x - w\,(x-a) - \frac{v}{2\,b}\left(x - \frac{l-b}{2}\right)^2 - \frac{W\,x^2}{2\,l}. \qquad (2)$$

(2)

From equation (2) we find the value of x, the distance of point of greatest stress from P, when M becomes a maximum.

$$\frac{d\,M}{d\,x} = P - w - \frac{v}{2\,b}\Big(2\,x - (l - b)\Big) - \frac{W\,x}{l} = 0. \qquad (3)$$

$$x = \frac{b\,l}{W\,b + v\,l} \times \left(P - w + \frac{v}{2\,b}(l - b)\right) = 83.146 \text{ feet.} \qquad (4)$$

Substituting the values of P and x in equation (2) we get M = 27,023.6 foot-tons = the greatest bending moment of the vessel, when resting on two supports placed under the perpendiculars.

The calculation of the longitudinal strength of the vessel has been based on the drawing of the cross-section at ⋊, a tracing of which is attached to this report. It is true that the plane of greatest stress lies 9.084 feet abaft dead flat, but an inspection of the body plan of the vessel shows that the ensuing error is inappreciable.

In the calculation of the "moment of inertia" of this cross-section that portion of the wooden ceiling which lies below the neutral axis and would be subjected to a tensile strain has not been taken into account. The sectional area of the remaining wood-work has been reduced to an equivalent area of iron, by dividing by sixteen, as recommended by Professor Rankine.

The same authority has been followed in taking the product of the girth into the mean thickness of plates as the effective area of the outside plating. The deck is supposed to be of the strength due to the thickness of its plating and planking over its whole width, the loss of area in hatches being properly compensated for.

Calling A = the effective area of the several parts of the cross-section in square inches, B = the respective distances of the centers of gravity of these areas from the base line of the vessel in feet, and N = the distance of the center of gravity of the combined areas from the base line in feet, we get the equation $N = \frac{\Sigma\,A \times B}{\Sigma\,A}$. Substituting the values for $\Sigma\,A \times B$ and $\Sigma\,A$, as found in the following, we get $N = \frac{7685.129}{912.573} = 8.421$ feet = height of center of gravity of the effective transverse section of vessel above base line.

The neutral axis of the vessel considered as a girder will pass through this point, and the moment of inertia of the section has been calculated with reference to this axis, its value being 45,630.2.

From these data the maximum strain at different parts of the cross-section is easily found by the formula $s = \frac{h\,M}{I}$, where s represents the strain per square inch of metal; h = the distance of the part from the neutral axis; and I = the moment of inertia of the whole cross-section.

A.

	Effective area in square inches.	Distance of center of gravity from base-line, in feet.		Distance of center of gravity from neutral axis in feet.		Moment of inertia about axis through center of gravity.	Moment of inertia about neutral axis of whole section.
	A.	B.	A×B.	C.	A×C².	J.	(A×C²)+J
Rail	14.250	21.330	303.953	12.909	2384.6	.0	2374.6
Bulwark, including lining	36.524	19.690	717.158	11.269	4638.2	30.5	7133.9
	30.374	17.420	529.115	8.999	2459.8	5.4	
Deck (iron and wood)	180.190	16.540	2980.343	8.119	11877.8	1.7	11879.5
Ceiling above neutral axis	24.000	12.250	294.000	3.829	351.8	128.0	479.8
Berth-deck stringer	19.375	9.583	185.671	1.162	26.2	.0	30.4
	11.500	8.835	101.593	414	1.9	2.3	
Outside plating	46.250	15.100	698.375	6.679	2063.2	35.0	15830.5
	79.750	11.166	890.489	2.745	600.9	154.9	
	85.000	6.080	516.800	2.341	465.8	202.7	
	225.620	1.036	233.740	7.385	12304.9	3.1	
Inner skin	79.750	1.975	157.506	6.446	3313.7	1.0	3314.5
Bilge-stringer	8.000	3.875	31.000	4.546	165.4	.1	165.5
Horizontal plate, including angle-irons	9.940	1.000	9.940	7.421	547.4	.8	1031.4
	4.400	1.560	6.864	6.861	207.1	.0	
	4.400	.500	2.200	7.921	276.1	.0	
Keelson-plate, including angle-irons	12.000	1.521	18.252	6.900	571.3	.0	860.5
	6.000	1.480	8.880	6.941	289.1	.1	
Keel, including side-plates	22.500	250	5.625	8.171	1502.2	11.5	2529.4
	12.750	—.500	—6.375	8.921	1014.7	1.0	
Total effective area of cross-section	912.573	.....	7685.129	.....	.....	.....	.....
Moment of inertia of cross-section	.....	.....	.....	.....	.....	.....	45630.2

Maximum tensile strain at bottom of keel $= \frac{27{,}023.65 \times 9.421}{45{,}630.2} = 5.58$ tons per square inch.

Maximum compressive strain on top of iron deck at center of vessel $= \frac{27{,}023.65 \times 8.239}{45{,}630.2} = 4.88$ tons per square inch.

Maximum compressive strain at top of bulwark $= \frac{27{,}023.65 \times 12.949.}{45{,}630.2}$

Consequently we have a factor of safety of two and a half for the weakest point of the vessel when exposed to the greatest statical strain to which it could be exposed under any condition. To find the greatest strain to which the vessel could be subjected while in the hollow of two waves, we will compare our results with the calculations made by Mr. E. J. Reed on the strength of various vessels of the English Navy, published in volumes i, ii, and iii of Naval Science. The distribution of weights assumed by us agrees pretty closely with the curve of weights given for the Victoria and Albert. On page 129, volume ii, of Naval Science, Mr. Reed gives the greatest bending moment of the same vessel, when supported at the extremities $= \frac{\text{displacement} \times \text{length}}{6}$.

We found the greatest bending moment of the Huron, when supported in the same manner to be = 27,023.65 foot-tons $= \frac{\text{displacement} \times \text{length}}{6.6}$.

Mr. Reed finds the greatest bending moment of the Victoria and Albert, when in a wave-hollow, to be 3.8 times smaller than when supported at the two extremities. Making due allowance for the greater fineness of the lines of this latter vessel, we shall be safe in using the divisor 3 in the case of the Huron, in comparing the stresses produced

in the vessel under similar conditions. It will be observed that there we get a value which corresponds almost exactly with the well-kno formula of Professor Rankine, $\frac{\text{displacement} \times \text{length}}{20}$, for the great possible bending moment of a vessel afloat.

In the case of the Huron, this expression would take the fo $\frac{\text{displacement} \times \text{length}}{19.8}$.

We shall get, therefore, the following results for the maximum strai when the vessel lies in a wave-hollow:

Mamimum tensile strain at bottom of keel $= \frac{5.58}{3} = 1.86$ tons p square inch.

Maximum compressive strain on iron deck $= \frac{4.88}{3} = 1.63$ tons p square inch.

Maximum compressive strain at top of bulwark $= \frac{7.67}{3} = 2.56$ tons p square inch.

These results show a large surplus of strength in the vessel under th most unfavorable conditions.

The following table B shows the comparative weights of metal as re quired by the Liverpool underwriters, and that used in the constructio of the United States Steamer Huron:

B.

	Scantlings required by rules of Liverpool underwriters.	Scantlings of United States Steamer Huron.
Keel: Thickness of center-plate	$\frac{8}{16}''$	$\frac{12}{16}''$
Depth below floors	$8''$	$12''$
Thickness of side-plates	$\frac{12}{16}''$	$\frac{12}{16}''$
Horizontal keelson-plate, width	$28''$	$24''$
Hortzontal keelson-plate, thickness	$\frac{8}{16}''$	$\frac{8}{16}''$
Frames: Spacing of frames	$23''$	$21''$
Dimensions of frames	$3\frac{1}{2}'' \times 3'' \times \frac{5}{16}''$	$4'' \times 3\frac{1}{4}'' \times \frac{5}{16}''$
Dimensions of reverse frames	$2\frac{1}{2}'' \times 2\frac{1}{2}'' \times \frac{5}{16}''$	$3'' \times 3'' \times \frac{5}{16}''$
Floors: Depth at center	$21''$	$18''$
Thickness	$\frac{8}{16}''$	$\frac{6}{16}''$
Intercostal keelson: Thickness	$\frac{6}{16}''$	$\frac{6}{16}''$
Plates, thickness: Sheer	$\frac{10}{16}''$	$\frac{10}{16}''$
Side, bilge, and bottom	$\frac{8}{16}''$ or $\frac{9}{16}''$	$\frac{10}{16}''$
Garboard	$\frac{9}{16}''$	$\frac{10}{16}''$
Bulwark	$\frac{8}{16}''$	$\frac{8}{16}''$
Beams: Depth	$8''$	$8''$
Depth of knees	$20''$	$29''$
Beam-stringers, lower deck: Width	$23''$	$15''$
Thickness	$\frac{8}{16}''$	$\frac{8}{16}''$
Beam-stringers, main deck, width	$35''$	Iron deck.

The foregoing comparison shows in nearly every portion of the hull a greater strength than the "Rules of the Liverpool underwriters" require. The floors alone form an exception in this respect, since they are less in depth and thickness than the Liverpool rules demand. This

deficiency is, however, counterbalanced by the closer spacing of the frames, by the addition of the inner skin, and by the greater thickness of the outside plating, and the increased dimensions of the frame angle-irons. This disposition of the material is very favorable to the increase of longitudinal strength in the vessel, as the foregoing calculations prove, while the decrease of transverse strength is probably but slight; but no calculation has been attempted, for want of sufficient data.

Rules of the Liverpool underwriters applicable to an iron vessel 175 *feet long*, 32 *feet beam*, 15 *feet depth of hold.*

Keel.—Thickness of center plate, $\frac{8}{16}$ inch. The butts to be secured by double butt-strips, each of a thickness equal to two-thirds that of the center plate, and to be treble riveted. The part below the floors should project to form a keel not less than 8 inches deep, and must have a double row of rivets to fasten the garboard-streak plates; also an intermediate row to hold the side plates which form the keel proper. Size of side plates, $8 \times \frac{12}{16}$ inch. Horizontal plate on top of center plate to be in one width, viz, 28 inches wide and $\frac{8}{16}$ inch thick. Butts of horizontal plate to be double riveted; the strips to be put on the upper side. Horizontal plate must be secured to center plate by fore and aft angle-irons underneath. Size of angle-irons, $4 \times 3\frac{1}{2} \times \frac{7}{16}$ inch. The floor-ends at center line are to be riveted to the center plate with double angle-irons ($3\frac{1}{2} \times 3 \times \frac{6}{16}$ inch) the full depth of the floors, the ends of these angles to be joggled over the reverse bars and frames and riveted through them. Also at the upper edge of floors a scarfing angle-iron ($2\frac{1}{2} \times 2\frac{1}{2} \times \frac{5}{16}$ inch) is to be passed through center plate, and riveted to horizontal plate and to floors at both sides, and to scarf on each side two feet.

Frames.—To be $3\frac{1}{2} \times 3 \times \frac{6}{16}$ inch, and to be spaced 23 inches apart. Reverse frames to be $2\frac{1}{2} \times 2\frac{1}{2} \times \frac{5}{16}$ inch. All frames to extend from keel to upper-deck stringer, and, in way of poop and forecastle, to extend to the stringers of these decks. Lining-pieces under frames to be in one length and thickness, and the breadth of the frames. Reverse frames are to be riveted on every frame, and to be carried to upper side of the upper bilge-stringer and gunwale alternately. Double reverse angle-irons to be fitted on the frames in the way of all keelsons, hold and bilge stringers, and in engine and boiler space, to extend from bilge to bilge in one piece.

Floors.—Depth at center to be 21 inches; thickness $= \frac{8}{16}$ inch. They are to be riveted on every frame, and are to be half the center depth at lower turn of bilge; they are to be carried well up into the bilge, and to be finished the depth of the molding edge of the frames. Floors to be increased one-sixteenth of an inch in thickness in engine and boiler space. An iron wash-plate not less than $\frac{6}{16}$ inch in thickness to be fitted between floors. Vessel to have two bilge-stringers, one at lower and one at upper turn of bilge, formed of double angle-irons $4 \times 3\frac{1}{2} \times \frac{7}{16}$ inch.

Beams to be of bulbed iron, 8 inches deep and $\frac{8}{16}$ inch thick. Angles for each side of upper edge of beams $= 3\frac{1}{4} \times 3 \times \frac{6}{16}$ inch. Knees to be $2\frac{1}{2}$ times the depth of beams. Main deck to have a beam upon every alternate frame. Every sixth frame to have a lower beam; these may be spaced more widely if increased in section and if compensation-stringers are used.. The space is not to exceed 24 feet.

Stringer-plates to be laid on each tier of beams at the ends, and riveted thereto through both beam angles and to shell plating with angles of $3\frac{1}{2} \times 3\frac{1}{2}$ inches. Width of beam-stringers=38 inches. Thickness of main-

deck stringers, $\frac{8}{16}$ inch. Thickness of lower-deck stringers = $\frac{8}{16}$ inch. Width of lower-deck stringers, 23 inches. With iron decks the dimensions of stringers may be reduced.

Wooden decks not to be less than 4 inches, where no iron decks are fitted.

Stanchions to be fixed to every beam amidships for one-half of the vessel's length, and to alternate beams forward and aft, and to be secured at each end by at least two rivets.

Plates.—Thickness: Sheer, $\frac{10}{16}$ inch; side, bilge, and bottom = $\frac{8}{16}$ inch garboard = $\frac{9}{16}$ inches. Length of plates not to be less than five spaces of frames, with the exception of those at the ends of the vessel. Bulwark-plates need not exceed $\frac{5}{16}$ inch in thickness. All butts in garboard two streaks, shell plating, stringers, to be clear spaces between frames apart. Butts in garboard streaks must not be opposite each other.

45TH CONGRESS, 2d Session. } SENATE. { Ex. DOC. No. 27.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

COMMUNICATING,

In answer to a resolution of the Senate of February 13, 1878, information in relation to the number of persons on the pension-rolls in Arkansas and other States, the payments made thereto, &c.

FEBRUARY 26, 1878.—Ordered to lie on the table and be printed.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., February 25, 1878.

SIR: In compliance with the resolution of February 13, 1878, directing the Secretary of the Interior "to report to the Senate, at the earliest possible day, the number of persons now on the United States pension rolls in the States of Arkansas, Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, Texas, and the Indian Territory; also the number of payments reported daily to the Commissioner of Pensions made to such persons by the pension agent from the 4th day of September, 1877, to the 31st day of January, 1878, inclusive," I have the honor to transmit herewith tabular statements, prepared under the direction of the Commissioner of Pensions, containing the information desired.

A copy of the letter of the Commissioner transmitting the same to this department is also herewith inclosed.

Very respectfully,

C. SCHURZ,
Secretary.

Hon. WILLIAM A. WHEELER,
Vice-President of the United States, President of the Senate.

DEPARTMENT OF THE INTERIOR, PENSION OFFICE,
Washington, D. C., February 23, 1878.

SIR: Upon receipt of your reference of the 13th instant of Senate resolution of February 13, 1878, calling upon the Secretary of the Interior for a report of the number of persons "now on the United States pension-rolls in the States of Arkansas, Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, Texas, and the Indian Territory," and of the number of "payments reported daily to the Commissioner of Pensions made to such persons by the pension agent from the fourth day of September, eighteen hundred and seventy-seven, to the thirty-first day of January, eighteen hundred and seventy-eight, inclusive," a letter

was addressed to the pension-agent at New Orleans, by whom such persons are paid, with the exception, probably, of a few scattering ones upon the rolls of other agencies, requiring him to furnish the information necessary to a compliance with said request. This information has been furnished, and is now submitted in the two tables herewith inclosed.

Very respectfully, your obedient servant,

J. A. BENTLEY,
Commissioner.

Hon. C. SCHURZ,
Secretary of the Interior.

Report showing the number of persons now on the United States pension-rolls in the States of Arkansas, Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, Texas, and the Indian Territory.

States and Territories.	Number of pensioners.
Alabama	701
Arkansas	964
Florida	173
Georgia	730
Louisiana	676
Mississippi	484
South Carolina	301
Texas	437
Indian Territory	41
Total number of persons	4,487

Report showing the number of payments made to persons now on the United States pension-rolls in the States of Arkansas, Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, Texas, and the Indian Territory, from September 4, 1877, to January 31, 1878, inclusive.

Day of month.	September, 1877.	November, 1877.	December, 1877.	January, 1878.	Day of month.	September, 1877.	November, 1877.	December, 1877.	January, 1878.
1	.....	.....	49	.....	18	64	.....	166	.....
2	.....	.....	.....	1	19	.....	45	123	.....
3	.....	.....	60	.....	20	40	57	143	.....
4	121	.....	114	108	21	6	65	176	108
5	78	.....	136	82	22	.....	62	131	108
6	27	.....	179	.....	23	.....	155	.....	67
7	37	.....	138	.....	24	5	74	143	35
8	95	.....	76	161	25	2	16	74	35
9	.....	.....	.....	149	26	.....	123	138	30
10	130	.....	.....	122	27	.....	94	175	.....
11	89	.....	.....	124	28	.....	92	115	22
12	54	.....	.....	.....	29	.....	97	107	44
13	50	.....	.....	.....	30	.....	211	.....	11
14	.....	.....	.....	306	31	.....	.....	92	.....
15	110	63	41	71					
16	.....	3	.....	.....	Total number of payments	949	1,169	2,322	1,020
17	41	51	122	.....					

NOTE.—Pension-Agent Isabelle was suspended September 25, and his successor qualified on the 19th of November, 1877, during which period no payments could be made.

LETTER

FROM

THE SECRETARY OF THE NAVY,

TRANSMITTING,

in answer to a Senate resolution of February 15, 1878, *information in relation to the usefulness of government observatories.*

FEBRUARY 18, 1878.—Referred to the Committee on Naval Affairs and ordered to be printed.

NAVY DEPARTMENT,
Washington, February 15, 1878.

SIR: In compliance with the resolution of the Senate of this date, I have the honor to transmit herewith a communication addressed to me by Rear-Admiral John Rodgers, U. S. N., Superintendent of the Naval Observatory, Washington, on the "Usefulness of government observatories."

I am, sir, very respectfully,

R. W. THOMPSON,
Secretary of the Navy.

Hon. WILLIAM A. WHEELER,
Vice-President of the United States.

UNITED STATES NAVAL OBSERVATORY,
Washington, February 12, 1878.

SIR: In the accompanying paper, which I have the honor to submit to the department, I have endeavored to show that the work of government observatories has an absolute money-value to the world. If I have succeeded, I hope that my remarks may be useful in helping to move the Naval Observatory to a better site.

Very respectfully, your obedient servant,

JOHN RODGERS,
Rear-Admiral, Superintendent.

Hon. R. W. THOMPSON,
Secretary of the Navy, Washington, D. C.

USEFULNESS OF GOVERNMENT OBSERVATORIES.

SIR: The appropriations for carrying on Greenwich Observatory are appropriations necessary to England's maritime greatness. It may be requisite to explain this.

European sailors in former times, and Chinese sailors now, grope along the shore, running from point to point, anchoring at night, and lost when at sea. By means of observatories, men were enabled to tabulate the motions and the places of the heavenly bodies, and to calculate a nautical almanac, which, being published for some three years in advance of its time of use, enables vessels engaged on the longest voyages to have always in possession the accurate places of the sun, moon, and stars, arranged for every day of the year. Every time the position of a ship at sea is put upon the chart, this position is found by observation of some heavenly body by the navigator, and made useful by reference to the nautical almanac. When fogs or storms hinder observations, the position is carried by estimation and rough measurements of speed and direction from the last celestial observation.

It thus appears that the work of observatories blends so intimately with modern navigation, that no cargo can be exported or brought home except through the agency of astronomical results.

Astronomy enters into the price of every pound of sugar, every cup of coffee, every spoonful of tea. Astronomy so lessens insurance that no vessel can sail without its reputed help, for if it were known that any given vessel declined the aid which astronomy offers in the shape of the nautical almanac, such vessel would be refused insurance, and the sailors, by complaining that their lives were endangered, might have the voyage prohibited.

No wheat, no cotton, no tobacco can be exported, except under the safeguard of astronomy. No traveler risks his life upon the ocean without the invisible and probably unknown guard of astronomy. No books from abroad come except under the protection of astronomy. No missionary of religion, or of science, or of useful knowledge, ventures to leave his own shores, except with the help of astronomy.

President John Quincy Adams called the heavenly bodies light-houses in the sky. The simile was logically true. As by the aid of light-houses the sailor is warned of the shoals which threaten his safety or is guided to his port, so, by means of the heavenly bodies, he is guided in his navigation. But as lights would avail little, or even lead to ship wreck, unless their positions be known, so the heavenly bodies could not be used except observatories made the tabulation of their places possible.

The imports into the United States in 1877 were, in part—sugar, $90,083,826; coffee, $53,634,991; tea, $16,181,467; and the *total* imports amounted to $492,097,540. Exports for the same year were, in part—cotton, $181,403,415; wheat, $69,308,119; tobacco, $32,312,529; the *total* exports, $658,637,457. Thus it will be seen that the ocean commerce of the United States alone amounted to the sum of $1,150,735,087 in a single year; and if the entire commerce of the maritime nations be considered, the aggregate value will dazzle the imagination.

Before astronomy lent its aid to navigation, the charges for freight on long voyages amounted to many times the original cost of the articles carried.

The enormous risks of traveling, as well by sea as by land, in former times, is alluded to in Shakespeare's Tempest:

> Or that there were such men
> Whose heads stood in their breasts; which now we find
> Each putter-out of five for one will bring us
> Good warrant of.

This refers, as you are aware (before astronomy had made journeying easy and men civil), to the chances of more than five to one that the traveler would never return to claim his pledge.

If we take one-fifth of Shakespeare's rate of insurance, and make it one for one, then the saving would amount to the value of the ge carried, or to $1,150,735,087 for last year to the United States ne.

We have estimated that the rate of insurance without the aid of astronomy would be one for one; but if not true to that extent, the saving has been great in proportion as it is true.

But commerce as it now exists could have no being except for the ids derived from astronomy. Except for the civilizing influence of om merce, except for the attrition of ideas resulting from intercourse mon g nations, except for the spreading of sounder views of men's relation to God and to fellow-men, the world as it now is could not be.

It must be borne in mind that, without astronomy, the help of accurate or even tolerable charts would not be attainable; our idea of India and China would have no geographical fixity; the sailor would not know when he was near his port, nor his place on the earth, when he was in it.

That astronomical observatories, therefore, are absolutely necessary to the ocean commerce of the world, is a proposition which no man can deny. There are many private observatories in the United States, generally conducted by men of great abilities, some of them directed by men of supreme talents.

It may be asked why these private observatories cannot do the work of government observatories. These private observatories are generally attached to places of instruction, and they are devoted rather to education than long-continued labor directed to a particular end, this end often not a brilliant one, and not calculated to bring any great reputation to the patient toiler. For instance, a professor now in the Naval Observatory has been more than a quarter of a century employed every fair night, when not sick from malaria, in making a catalogue of the stars and in tabulating their places more accurately than has been done before. Some of the more important stars have had their places measured and remeasured as often as six hundred times; generally the standard stars are measured more than two hundred times. His book is now in press. This work, "rectifying the tables of the motions of the heavens and the places of the fixed stars, for perfecting the art of navigation," was included in the warrant of Charles II for the erection of Greenwich Observatory.

The patient, sustained work of the government observatory would be foreign to the intention of the private observatory; and when the private astronomer, urged by his genius and his thirst for knowledge, engages in work aside from his regular occupation, it is more apt to be in fields of discovery, or of astronomical investigation of recent facts, than in plain plodding tables, such as are old in science, though new in accuracy.

The Naval Observatory is very remotely a means of education, and its field does not clash with the one in which private observatories labor. As the aims of the two are different, their work is not alike. The government observatory works on old themes; the private observatory devises new ones. Both are necessary in the world, and neither can be spared. Very fortunately, only one claims government aid.

If it be said that the tables are now so far perfected that more observations are not needed, it may be answered that the perturbations and irregularities of the heavenly bodies are not so well known that their actual places can be predicted with all desirable accuracy.

Advances in science only prove to man more clearly his ignorance.

Each step upward in the tree of knowledge shows more abundant and fairer fruit just beyond his grasp. It is surely, then, premature in astronomy—the widest and sublimest field of science—to declare that we have toiled enough, and have so nearly reached the end, that more labor were in vain.

In Europe, not only do governments keep up old government observatories, but France, Germany, and Austria are building new ones. Shall we throw ourselves upon the charity of Europe for the knowledge necessary to our own maritime success?

There is another, and, some may say, a higher view of the uses of observatories than their mere money-value. I leave those views untouched. I leave also untouched our care of rating chronometers for the Navy, and dropping a time-ball as well for general commerce as for naval use. I leave untouched how the Observatory fell naturally, at its inception, under the direction of the Navy Department, and why it is proper to retain its relations to the Navy. All these considerations have I left out, because I have already written too much.

The work of observatories falls upon the world as the silent dew falls upon the earth, vivifying, but unseen except in its effects.

In conclusion, the warrant of King Charles for the erection of Greenwich Observatory was wise. The gentlemen who advised him builded better than they knew. Can our government afford to be less enlightened than his of two hundred years ago? Must not, rather, proper steps be taken to put this great national institution upon a healthy basis, as well of sight as of finance?

Very respectfully, your obedient servant,

JOHN RODGERS,
Rear-Admiral, U. S. N.

Hon. R. W. THOMPSON,
Secretary of the Navy, Washington, D. C.

These warrants are hereto appended, as showing what is still deemed the proper work of maritime observatories:

WARRANT FOR BUILDING THE OBSERVATORY AT GREENWICH.

Charles Rex.

Whereas, in order to the finding out of the longitude of places for perfecting navigation and astronomy, we have resolved to build a small observatory within our park at Greenwich, with lodging-rooms for our astronomical observator and assistant, our will and pleasure is, that you cause the same to be fenced in, built, and finished with all convenient speed; * * * and for so doing, this shall be to you and all others whom it may concern a sufficient warrant.

Given at our court at Whitehall, the 22d day of June, 1675, in the 27th year of our reign.

By His Majesty's command.

J. WILLIAMSON.

To Sir THOMAS CHICHELY, Knt.,
&c., &c., &c.

WARRANT FOR THE APPOINTMENT OF MR. FLAMSTEED.

Charles Rex.

Whereas, we have appointed our trusty and well-beloved John Flamsteed, master of arts, our astronomical observator, forthwith to apply himself with the most exact care and diligence to the rectifying the tables of the motions of the heavens, and the places of the fixed stars, so as to find out the so much desired longitude of places for the perfecting the art of navigation, our will and pleasure is, * * *

Given at our court * * *.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING,

In answer to a Senate resolution of February 4, 1878, *information in relation to the settlement of accounts for the transportation of the Second Regiment of Infantry from Saint Louis to San Francisco, via Denver, in July*, 1877.

FEBRUARY 18, 1878.—Referred to the Committee on the Judiciary and ordered to be printed.

TREASURY DEPARTMENT, *February* 15, 1878.

SIR: In response to the resolution of the Senate adopted February 4, 1878, I have the honor to transmit herewith copies of all papers in this Department "relating to the settlement of accounts for the transportation of the Second Regiment of Infantry from Saint Louis to San Francisco, via Denver, in the month of July, A. D., 1877."

Very respectfully,

JOHN SHERMAN,
Secretary of the Treasury.

The PRESIDENT *of the United States Senate.*

[Telegram.]

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, July 4, 1877.

Major-General HANCOCK,
Commanding Division Atlantic, New York:

General of the Army directs that the Second Infantry, whole regiment, be ordered by you to Ogden, Utah, to report General McDowell in advance, with view to service in Idaho. Regiment should drop all impediments for the present. Movement has the sanction of the President.

Please acknowledge receipt as soon as practicable. Report probable date of departure.

THOMAS M. VINCENT,
Assistant Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *July* 5, 1877.

Official copy respectfully furnished for the information of the Quartermaster-General.

L. H. PELOUZE,
Assistant Adjutant-General.

[Telegram.]

ATLANTA, GA., *July* 5, 1877.

Major GRIMES, *Q. M., Saint Louis, Mo.:*

Second Infantry ordered to Ogden; will you arrange for transportation? Think you can better rates at Saint Louis than can be procured here. About four hundred officers and men, say twenty tons baggage and stores. Should start in three or four days. Answer.

CHANDLER, Q. M.

A true copy.

D. S. MAGRUDER,
Surgeon, U. S. A.

[Telegram.]

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, July 5, 1877.

Major General HANCOCK, *New York:*

Relating to movement Second Infantry, General of the Army has just telegraphed me that families ought to remain behind, or go around to Vancouver by sea from San Francisco. He does not consider it necessary that movement be with undue haste.

VINCENT,
Assistant Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *July* 5, 1877.

Official copy respectfully furnished for the information of the Quartermaster-General.

L. H. PELOUZE,
Assistant Adjutant-General.

[Telegram.]

ATLANTA, GA., *July* 7, 1877.

Maj. E. B. GRIMES,
Depot Quartermaster, Saint Louis, Mo.:

Transportation will be arranged by me for regiment from Atlanta to Saint Louis. Want you to forward from Saint Louis to Ogden. Will notify you how many cars to provide, and when, as soon as possible.

CHANDLER,
Quartermaster.

A true copy.

D. S. MAGRUDER,
Surgeon United States Army.

THE WESTERN UNION TELEGRAPH COMPANY,
Atlanta, Ga., July 7, 1877.

To QUARTERMASTER-GENERAL,
Washington City, D. C.:

Shall decline unless otherwise ordered to furnish transportation for mounted officers' horses of Second Infantry from Atlanta to Vancouver, via San Francisco.

CHANDLER,
Quartermaster.

[Telegram.]

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, July 7, 1877.

Major-General HANCOCK, *New York:*

General McDowell, by telegram dated yesterday, just received, says he has determined to send Second Infantry through by rail to San Francisco, steamer to Portland, thence by boat to Lewiston. Instruction as to impediments being dropped, for present remain unchanged.

VINCENT,
Assistant Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,
Washington, July 7, 1877.

Official copy respectfully furnished for the information of the Quartermaster-General.

L. H. PELOUZE,
Assistant Adjutant-General.

[Telegram.]

OMAHA, NEB., *July 9, 1877.*

Captain GRIMES, Q. M., U. S. A.,
Saint Louis, Mo.:

Will charge regular rates, which depends on destination of command.

THOS. L. KIMBALL.

A true copy.

D. S. MAGRUDER,
Surgeon United States Army.

THE WESTERN UNION TELEGRAPH COMPANY,
Saint Louis, Mo., July 10, 1877.

QUARTERMASTER-GENERAL:

In trying to arrange for the transportation of Second Infantry, Atlanta, Ga., to this city, the N., C. and St. L. Ry. have refused to transport troops over the indebted portion of their road from Nashville to Union

City, because they receive no pay for such service. This action, if allowed, will force me to use the St. L. & S. E. Ry., Nashville to Saint Louis. What action shall I take in the matter? Chandler telegraphs me that the baggage is ready to ship now; troops to follow immediately.

GRIMES,
Depot Quartermaster.

KANSAS PACIFIC RAILWAY COMP'Y,
President's Office, Saint Louis, Mo., July 12, 1877.

DR. SIR: This company will transport the 2d Intfry, about 650 strong, destined for the Pacific Coast, from Kansas City to Cheyenne, guaranteeing the government against any delay, either between the points named or in the transfer and start from Cheyenne westward, and further guaranteeing you a rate of $5.00 per man less than by the route via Omaha. You will be given ample notice at just what time the troops will reach Cheyenne, when we will ask you to have the Union Pacific Railroad notified by the department, as well as by this company.

Very respectfully.

KANSAS PAC. RY. COMP'Y,
By ROBT. E. CARR, *Prest.*
DENVER PAC. RY. CO.,
By D. M. EDGERTON, *Prest.*

Maj. E. B. GRIMES, *A. Q. M.*,
Saint Louis, Mo.

A true copy.

D. S. MAGRUDER,
Surgeon, U. S. A.

WAR DEPARTMENT,
OFFICE COMMISSARY GENERAL OF SUBSISTENCE,
Washington, D. C., July 13, 1877.

GENERAL: In reply to your communication of this date, enclosing a telegram from the presidents of the Kansas Pacific and Denver Pacific Railroads, offering to transport the Second Infantry, via Denver and Cheyenne, and asking if rations can be furnished to the regiment if sent by that route, I have the honor to inform you that a telegram has just been received from Colonel McKeever advising me that the Second Infantry has just started, via Denver and Cheyenne, and one in reply sent to know how many days' rations the command has started with.

Upon the receipt of the information asked for, instructions will be given to furnish rations to the regiment at the point where they will be needed, either Saint Louis or Cheyenne.

The telegram enclosed with your communication is herewith returned to you.

Very respectfully, your obedient servant,

R. MACFEELY,
Commissary General Subsistence.

Brigadier General M. C. MEIGS,
Quartermaster-General U. S. Army.

[Telegram.]

[War Department, Office Chief Signal Officer, division of telegrams and ciphers. Received at Soldiers' Home July 14, 1877, 10.30 p. m., from New York, 14, 1877.]

To SECRETARY OF WAR,
Soldiers' Home:

I understand troops are to be sent immediately to San Francisco. *Can't they go* by the way of Omaha, as it will disarrange our trains to take them at Cheyenne, having no cars there to receive them.

SIDNEY DILLON.

THE WESTERN UNION TELEGRAPH COMPANY,
Saint Louis, Mo., July 14, 1877.

To QUARTERMASTER-GENERAL:

Second Infantry go via Kansas Pacific Railway and Denver at rate of five dollars less than Omaha route. Expect to leave here to-morrow, Sunday morning; arrangements all completed.

GRIMES,
Depot Quartermaster.

OFFICE OF THE RECEIVERS OF THE
KANSAS PACIFIC RAILWAY,
20 *Nassau Street, Room* 24, *New York, July* 14, 1877.

My Dear SCHURZ: I have just learned that the Kansas Pacific Railway Company, *at* Saint Louis, have made a contract to transport troops *to the Pacific coast*, with Quartermaster Grimes, at a less rate than *charged by the Union* Pacific Company, and that the latter company *refuses* to take them from Cheyenne on the terms prescribed by the pro-*rate law*.

Now, the charter of the Union Pacific and all the other companies is very strict and imperative on the subject of the transportation of troops and munitions of war when required by the government or any department *thereof*, and gives the government a preference over all other business. *It may be that* the Union Pacific Company will reconsider their purpose before the troops reach Cheyenne, and conclude to obey the law and keep out of hot water; but if they do not, I shall perhaps give you an early call in Washington, and ask you to help us in the way of putting us on a friendly footing at the War Department.

Yours, very truly,

HORACE WHITE.

Hon. CARL SCHURZ,
Washington, D. C.

[Good for 10 days from date of issue—Not transferable.]

H— No. 76128.]

SAINT LOUIS, MO., *July* 15, 1877.

The Kansas Pacific Railway Company will please transport thirty (30) officers, three hundred and forty-four (344) men, and forty-two (42)

laundresses, Company ——, Second Regiment of Infantry, from Kansas City, Mo., to Denver, Col., en route from Atlanta, Ga., to San Francisco.

M. C. MEIGS,
Quartermaster General, Bvt. Maj. Gen., U. S. Army.

Signature of officer issuing the request:

E. B. GRIMES,
Captain and Assistant Quartermaster, U. S. A.

REMARKS.—Special rate of $12.50 per capita. The holder of this request or the officer in charge of troops is required to fill the receipt below before signing, stating the exact number of men transported, and the places from and to which transportation has been furnished. The receipt should be filled up in ink if practicable, and if the person receipting cannot write his name there should be a witness to his mark. Names and places should be written in full, and if the transportation is furnished by other than passenger-train or passenger-car, the fact should be stated.

DENVER, COLO., *July* 18, 1877.

I certify, on honor, that the Kansas Pacific Railroad has furnished transportation for thirty (30) officers, three hundred and forty-four (344) men, and forty-two (42) laundresses, from Kansas City to Denver, Colo., in compliance with the above request.

C. A. DEMPSEY,
First Lieutenant and Adjutant Second Infantry.

OFFICE DEPOT QUARTERMASTER,
Saint Louis, Mo., July 15, 1877.

I certify that this request is made upon the authority of ——, and on account of change of station.

E. B. GRIMES,
Captain and Assistant Quartermaster, U. S. Army.

The United States to C. S. Greeley and Henry Villard, receivers of the Kansas Pacific Railway, Dr.

Account No. 250.

For transportation furnished from Kansas City, Mo., to Denver, Colo., for thirty (30) officers, three hundred forty-four (344) men, and forty-two (42) laundresses, in accordance with transportation request H. No. 76128, dated Saint Louis, Mo., July 15, 1877:

Four hundred and sixteen (416) persons, at $23.15 per head. $9,630 40

The amount charged above is arrived at and explained as follows:

The contract price per man from Saint Louis to San Francisco, being $5 per man less than the offered price per man via Omaha and the Union Pacific Railroad, which proffered price was $112.50, and to be apportioned as follows:

From Saint Louis to Omaha	$12 50
Union Pacific Railroad, regular rate	54 00
Central Pacific Railroad, regular rate	46 00
Making through-rate	112 50

Deducting $5 from this offered rate will leave $107.50 as the contract price for said transportation per man, which contract price is to be apportioned to the roads furnishing the transportation as follows, to wit:

Central Pacific same as via Omaha	$46 00
Union Pacific half of $54, which it accepts on through-business via Omaha, the distance from Cheyenne to Ogden being just one-half the distance from Omaha to its connection with the Central Pacific Railroad	27 00
Denver Pacific, Denver to Cheyenne	3 85
Kansas Pacific, Kansas City to Denver	23 15
Saint Louis, Kansas City and Cheyenne, Saint Louis to Kansas City	7 50
Making	107 50

The proportions as here given to the roads from Saint Louis to Cheyenne are entirely acceptable to them. The rate as stated for the Central Pacific Railroad is the regular and full proportion accepted by that company over its line on like business via Omaha, and that for the Union Pacific Railroad is one-half of the regular proportion accepted by that company on like business via Omaha, the distance from Cheyenne to the connection with the Central Pacific at Ogden being one-half the distance from Omaha to Ogden, and is all that the Union Pacific Railroad is entitled to charge for transportation of through-passengers to San Francisco coming over the Kansas Pacific Railway and Denver Pacific Railway to its line at Cheyenne, under the acts of Congress creating and regulating that company.

[Atlantic and Pacific Telegraph Co.; dated N. Y., 18—; received at Wash., 187–.]

QUARTERMASTER-GENERAL:

Referring to Grimes's telegram to you of July sixteenth, in regard to transportation of Second Infantry, St. Louis to San Fran., in which he assumes the charge of Central Pacific as forty-six dollars, Ogden to San Fran., I beg to hand you the following telegram on that subject from that company, signed Jay Gould, dated San Fran., July 17, eighteen seventy-seven. No one has asked us for special-rate account of troops via Cheyenne. Government has never objected to our tariff rate of fifty-three fifty, Ogden to San Fran., and we shall demand it for Second Infantry.

F. P. GOODMAN,
Genl. Ticket Agent, C. P. R. R.

THE WESTERN UNION TELEGRAPH CO.,
New York, July 16, 1877.

To Hon. CARL SCHURZ, *Washington:*

Troops for Oregon referred to in Horace White's letter of fourteenth reach Cheyenne to-morrow.

In order to prevent delay in forwarding them, would suggest that Mr.

White's letter be laid before Secretary of War at once, so that he may make prompt requisition on Union Pacific if necessary.

This at Mr. White's request and as of counsel to the bondholders' committee.

ARTEMUS H. HOLMES,
120 *Broadway.*

THE ATLANTIC AND PACIFIC TELEGRAPH CO.,
St. Louis, July 16.

QUARTERMASTER GEN'L, *Wash'n:*

No error has been committed in transporting Second Infantry via Denver. Chandler telegraphed me regiment was ordered to Ogden, and on this I based my arrangements and rates. Union Pac. refused to make any reduction. Kansas Pac. offered and gave written guarantee of five dollars less rate and no delays. Saturday I learned unofficially that regiment was going to San Fran. Kas. Pac. agreed that if such was the case they would still hold to their offer & guarantee. Regt. arrived Sunday, & colonel informed me that he was ordered to San Fran. I, therefore, made arrangement accordingly at following rates: St. Louis to Kas. City, seven fifty; Kas. City to Denver, seven fifty; Denver to Cheyenne, three fifty; Cheyenne to Ogden, forty-six, half same being local rate U. P. Ry.; Ogden to San Fran., forty-six dollars; total to San Fran., one hundred & eleven dollars. The rate allowed C. P. R. R. is based upon supposition that they are entitled only to their proportion of regular through-rate St. Louis to San Fran. via Omaha. Kansas Pac. agree, however, that if decided otherwise by the Qm. Genl. they will stand the difference and thus protect their five dollars guaranteed reduction.

GRIMES,
Depot Quartermaster.

OFFICE OF THE RECEIVERS OF THE
KANSAS PACIFIC RAILWAY,
20 *Nassau street, Room* 24, *New York, July* 16, 1877.

MY DEAR SCHURZ: On account of my wife's illness I am unable to go to Washington this evening on the business mentioned in my letter of Saturday. The troops referred to are destined for Oregon to suppress the Indian outbreak. They, or the first installment of them, will reach Cheyenne to-morrow, and it is important to you that they should be forwarded by the Union Pacific Railroad without delay and without stopping to have a joint debate over the law in the case.

The sixth section of the Pacific Railroad act of July 1, 1862, provides that the said railroad shall at all times "transport mails, troops, and munitions of war, supplies and public stores upon said railroad for the government whenever required to do so by any department thereof, and that the government shall at all times have the preference in the use of the same for all the purposes aforesaid."

Now, we have no interest, except as citizens, in taking steps to prevent the Union Pacific from getting into a tangle and a controversy with the government; but, in order to do everything fairly, and especially in order to prevent embarrassment of an important branch of the public service, I have taken pains to advise you of this matter before-

hand, and I caused a telegram to be sent you to day suggesting that my letter be laid before the Secretary of War at once, so that he might be in possession of the facts and act intelligently and promptly if the occasion should arise. I hope, however, that it will not arise.

Yours, very truly,

HORACE WHITE.

Hon. CARL SCHURZ,
Secretary of the Interior, Washington, D. C.

DEPOT QUARTERMASTER'S OFFICE,
Saint Louis, Mo., July 17, 1877.

GENERAL: The following is an official copy of the telegram sent you from this office yesterday:

* * * * * * *

No error has been committed in transporting Second Infantry via Denver. Chandler telegraphed me regiment was ordered to Ogden, and on this I based my arrangements and rates.

Union Pacific refused to make any reduction. Kansas Pacific offered and gave written guarantee of five dollars less rate and no delays. Saturday I learned unofficially that regiment was going to San Francisco. Kansas Pacific agreed that if such was the case, they would still hold to their offer and guarantee. Regiment arrived Sunday, and colonel informed me that he was ordered to San Francisco. I, therefore, made arrangements accordingly at following rates: S't Louis to Kansas City, seven fifty; Kansas City to Denver, seven fifty; Denver to Cheyenne, three fifty; Cheyenne to Ogden, forty-six fifty (same being local freight U. P. R'y); Ogden to San Francisco, forty-six dollars; total to San Francisco, one hundred and eleven dollars.

The rate allowed C. P. R'y is based on supposition that they are entitled only to their proportion of regular through-rate S't Louis to San Francisco via Omaha. Kansas Pacific agrees, however, that if decided otherwise by the Q. M. General they will stand the difference, and thus protect their five dollars' guaranteed reduction.

Very respectfully, your obedient servant,

E. B. GRIMES,
Captain and Assistant Quartermaster.

QUARTERMASTER-GENERAL U. S. A.,
Washington, D. C.

THE WESTERN UNION TELEGRAPH COMPANY,
Kansas City, Mo., July 17, 1877.

To Gen'l M. C. MEIGS,
Quartermaster-General, Wash'n:

We are advised that depot quartermaster S't Louis has reported compensation to be paid Kansas Pacific, Denver Pacific, and Union Pacific Companies for transportation of Second Infantry to Ogden, allowing the Kansas City and Denver Pacific but a nominal sum, and the Union Pacific an arbitrary rate, a discrimination which we think the act of Congress forbids. Please suspend approval. We have written you fully by this mail.

S. D. M. EDGERTON,
Pres't D. P. R.

T. F. OAKES,
Gen'l Supt. K. P. R.

KANSAS PACIFIC RAILWAY,
Kansas City, Mo., July 17, 1877.

SIR: We have to-day telegraphed you as follows:

We are advised that depot-quartermaster Saint Louis has reported compensation to be paid Kansas Pacific, Denver Pacific, and Union Pacific Companies for transportation of Second Infantry to Ogden, allowing the Kansas Pacific and Denver Pacific but a nominal sum, and the Union Pacific an arbitrary rate, a discrimination which we think the acts of Congress forbid. Please suspend approval. We have written you fully by this mail.

As indicated in our telegram, we make the following explanation: You are aware of the several acts of Congress placing the branches of the Union Pacific Railroad upon an exact equality with that road. In the management and operation of the Kansas Pacific and Denver Pacific roads, notwithstanding the penal character of the laws, the Union Pacific has never conceded to these roads any rights which the acts of Congress plainly intended to bestow. When the regiment in question was about to be removed to the Pacific coast, our companies solicited the depot-quartermaster at Saint Louis to direct the transportation of the troops over our respective roads. We think you will agree with us that in doing this we only exercised a palpable right, as the troops were being removed from posts far south of the initial point of our road, and if carried north to Omaha the distance from Kansas City to Omaha would have been over roads in which the government had no interest or connection. Our roads had been put so much under the ban of the Union Pacific, and had received so little support from the government, that we were constrained to propose to the depot-quartermaster to transport these troops at $5 per capita less from Saint Louis to Ogden than the rate demanded via Omaha (viz, $89), a saving to the government of over $2,000. Although we think it ought not to have been necessary for our companies to make any such reduction, nevertheless to secure the service it was done, and there is no disposition to ask the government to credit our companies on any other basis.

What we complain of is that the Union Pacific should be allowed in the proposed division more than half its rate from Omaha to Ogden for the transportation of the troops from Cheyenne to Ogden, the distance being exactly one-half. The Union Pacific local rate from Omaha to Ogden is $77.50. We will concede their right to one-half this rate, or $38.75, and claim ourselves to be entitled to the remainder of the compensation from Saint Louis to Ogden, viz, $50.25 less $7.50 for the lines from Saint Louis to Kansas City as agreed upon, and the $5 concession made by these companies to secure the business. This would give to the Kansas Pacific $30.75 and to the Denver Pacific $7. The allowance we are informed is $7.50 to the Kansas Pacific and $3.50 to the Denver Pacific. You will observe from the foregoing that this is quite a serious matter, not so much for the amount immediately involved as to settle an important principle. We do not find time now and perhaps we ought not to undertake to argue with the department the principles of law involved in the acts of Congress; all we incline to say is that the disregard of these laws has driven our companies well-nigh to insolvency; jeopardizing the value of the government interest in both of them, and we think we may rely upon your sense of justice to do whatever you can to protect these companies in their lawful rights. If you will indicate by telegraph that you will suspend action, the companies will take such further steps as may be necessary to bring the whole matter before

ou and the Secretary of War, if it shall be your pleasure to ask his lvice.

We hope that this matter will seem of sufficient moment to merit the llest consideration.

Very respectfully, &c.,

T. F. OAKES,
General Superintendent Kansas Pacific Railway.
D. M. EDGERTON,
President Denver Pacific and Telegraph Company.

LAWRENCE, KANS., *July* 18, 1877.

SIR: On yesterday Edgerton, president of the Denver Pacific, and akes, superintendent of the Kansas Pacific Railway, addressed you a tter in respect to the transportation of the Second Infantry over their espective roads, which letter I have read.

You are aware that I have been connected with the Kansas Pacific ailway since 1865 as its legal adviser. Since the completion of their oads there has been a controversy between that company and the Union Pacific in respect to the interchange of business and traffic over heir roads. It has appeared that the Union Pacific and Denver Pacific rivals for through business, and these latter companies have charged nd do maintain that the Union Pacific makes the same or nearly the ame rate on all through business, freight and passenger, between Cheyenne and Ogden that it makes between Omaha and Ogden, thus quite xcluding the Denver Pacific and the Kansas Pacific from engaging in he overland transportation. In fact the Kansas Pacific Company has een compelled to confine itself to its local trade and the Colorado business only, whereby, as the company alleges, it has been driven into insolvency.

The receivers appointed at the instance of the bondholders regard it heir duty to bring about such management of the Union Pacific Raiload and branches as will be a compliance with the acts of Congress ipon the subject.

The act of June 20, 1874 (U. S. Stat., vol. 18, part 3, page 111) embraces, with the acts referred to therein, the laws upon the subject.

You will readily perceive that the question is a grave one, and that he Denver Pacific and Kansas Pacific have rights that ought not to e set aside upon the caprice of the Union Pacific Company. Their laim is that all the roads in the Union Pacific system are to be operated y the companies as one continuous line, so far as the public and the government are concerned; that in such operation neither company is entitled to charge for the use of any part of its line a greater rate per mile than it charges per mile over the whole line of its road; that the question of cost of transportation, or of cost of road, or of inconvenience, has nothing to do with it; that a fair construction of the statute establishes the claim of the Kansas Pacific and Denver Pacific Companies, and these companies hope and expect that now, since the question is fairly before the government, their construction of the acts of Congress will be sustained. Until now the question has never been brought before any of the departments, and I trust you will excuse me for seriously urging upon you a full consideration of the subject, not doubting that the Secretary of War, if you shall be pleased to refer the matter to

him, as well as the other heads of departments, and the President, will sustain the views which these companies maintain.

Very respectfully, your obedient servant,

J. P. USHER.

M. C. MEIGS,
Quartermaster-General, Washington, D. C.

SAINT LOUIS, MO., *July* 13.

General M. C. MEIGS,
Quartermaster-General, Washington, D. C.:

We desire to transport the Second Infantry, now on their way to California, from Kansas City to Cheyenne via Denver, and have offered to do so at $5 per man less than by any other route. In view of the fact that the Commissary-General has ordered the command rationed at Omaha, Major Grimes does not feel authorized to accept our offer. Will you approve of the carrying of the troops on the terms offered, you to arrange for the command to be rationed either here or at Cheyenne? We guarantee no detention at Cheyenne. These troops will arrive here to-morrow evening. Please answer.

PACIFIC RAILWAY,
By ROBT. E. CARR,
President Kansas.
D. M. EDGERTON,
President Denver Pacific Railway.

DEPOT-QUARTERMASTER'S OFFICE,
Saint Louis, Mo., July 21, 1877.

GENERAL: Replying to your letter of 14th instant, I have the honor to inform you that the rate allowed on the Second Infantry, Saint Louis, Mo., to Cheyenne, transportation was as follows, per man:

Saint Louis to Kansas City	7 50
Kansas City to Denver	7 50
Denver Pacific Railway	3 50
Total	18 50

Very respectfully, your obedient servant,

E. B. GRIMES,
Captain and Assistant Quartermaster.

QUARTERMASTER-GENERAL,
Washington, D. C.

Table showing distribution of amounts on government account dated August 20, 1877.

Department.	Date.	Total.	Currency.	
			Aid	Not aid.
Pass Q. M. Dep't	July, '77	23,582 50	22,727 67	854 83
		23,582 50	22,727 67	854 83

STATE OF CALIFORNIA,
City and County of San Francisco, ss:

E. H. Miller, jr., being duly sworn, says he is the secretary of the Central Pacific Railroad Company; that the prices charged to the United States Government, in the account named in the following schedule, to wit:

Date of Central Pacific Railroad bill.	Transportation.	Date of service.	Amount in currency.
August 20, 1877	Pass. thro'	July, 1877	23,582 50
			23,582 50

are the prices as established by the regular tariff of the said company, and are the same prices as were charged to individuals for the same service.

[SEAL.]

E. H. MILLER, JR.

Subscribed and sworn to before me this 23d day of August, A. D. 1877.

CHARLES J. TORBERT,
Notary Public in and for the City and County of San Francisco, State of California.

HEADQUARTERS DEPARTMENT OF THE PLATTE,
CHIEF QUARTERMASTER'S OFFICE,
Omaha, Nebr., August 29, 1877.

GENERAL: In compliance with instructions contained in letter from your office dated July 26, 1877, I have the honor to forward herewith for consideration an account in favor of the Union Pacific Railroad, amounting to $20,120.95, for the transportation of the Second Infantry, from Cheyenne to Ogden, en route from the Atlantic coast to San Francisco, via Denver and Cheyenne, and made up as charged by the company, at local rates.

Very respectfully, your obedient servant,

JOHN V. FUREY,
Captain and Assistant Quartermaster, U. S. A., In charge of office.

QUARTERMASTER-GENERAL U. S. A.,
Washington, D. C.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
AND DEPARTMENT OF CALIFORNIA,
OFFICE DEPOT-QUARTERMASTER,
San Francisco, Cal., September 7, 1877.

SIR: As directed in your letter of July 26, 1877, I have the honor to transmit herewith a certified voucher, in duplicate, in favor of the Central Pacific Railroad Company, stated at $23,582.50, for the transporta-

tion of the Second Infantry from Ogden to San Francisco, en route from Atlanta, Ga., to San Francisco.

Very respectfully, your obedient servant,

WM. MYERS,
Brevet Brig. Gen. U. S. A., Depot-Quartermaster.

QUARTERMASTER-GENERAL U. S. A.,
Washington, D. C.

KANSAS PACIFIC RAILWAY COMPANY.
President's Office, Saint Louis, September 29, 1877.

SIR: Major Grimes, United States quartermaster at Saint Louis, made on the 15th July, 1877, transportation request H, No. 76128 for the transportation of 30 officers, 344 men, and 42 laundresses from Saint Louis to San Francisco, and the Kansas Pacific Railway Company, through its receivers, proposed to the said quartermaster to transport said troops at $5 per man less than the lowest offered rate he had received, which was $112.50, making the rate thus offered $107.50 per man. This offer was accepted, and a contract entered into accordingly, which contract and the basis of it is fully explained in the said account as presented, and is made out in accordance with the provisions of the acts of Congress creating the Union and Central Pacific Railroads, and regulating the charges of transportation between the railroads mentioned in said acts, receiving government aid and forming branches of the same.

But the Union Pacific Railroad Company is not satisfied with the apportionment, and demands a proportion of her regular rates altogether disproportioned to the extent of her line of road over which the troops passed in their transportation. As the extent of the line of the Union Pacific Railroad over which the troops passed was just one-half of their entire line, the Kansas Pacific Railway, in making up the amount which was rightfully coming to each railroad concerned in said transportation, fixed the amount coming to the said Union Pacific Railroad Company at one-half of their regular fixed charge per head, being $27, or one-half of the Union Pacific fixed charge of $54 per passenger, over its entire line.

But the Union Pacific Railroad demanded a much larger amount, and persuaded the quartermaster to make the division of the amount for transportation to the different roads and performing the service upon the basis insisted upon by the Union Pacific Railroad Company.

The division as made by Major Grimes for said transportation per man is as follows:

To the Saint Louis, Kansas City and Northern Railway Company	$7 50
To the Kansas Pacific Railway Company	7 50
To the Denver Pacific Railway and Telegraph Company	3 50
To the Union Pacific Railroad Company	43 00
To the Central Pacific Railroad Company	46 00
	107 50

The difference between the amounts of the division as insisted on by the Kansas Pacific Railway as the correct division and that proposed by Major Grimes is as to the amounts allowed to the Kansas Pacific and Union Pacific Railway Companies, the amounts allowed the other roads being practically the same. In the division as made by the Kansas Pacific it is:

To Kansas Pacific Railway..... $23 15
To Union Pacific Railway..... 27 00

In the division as made by Major Grimes as claimed by Union Pacific:

To Kansas Pacific Railway..... $7 50
To Union Pacific Railway..... 43 00

I said the other amounts were practically the same. The amount as set down as belonging to the Denver Pacific Railway and Telegraph Company differs in the amount of 35 cents, but that is as between the Kansas Pacific and the Denver Pacific Railways as made by Major Grimes, and need not be further adverted to.

The contest arises as between the Kansas Pacific Railway Company and the Union Pacific Railroad Company, the latter company claiming that they have the right to charge for troops, passengers, and freight whatever they choose, irrespective of whether they have been forwarded over the line of the Kansas Pacific Railway Company to go upon the line of the Union Pacific Railroad, the Kansas Pacific Railway Company contending that under the acts of Congress the Union Pacific Railroad Company can only charge the proportionate amount of their entire rate which the number of miles passed over bears to the entire length of their line; in other words, a pro-rata charge.

The Kansas Pacific Railway Company contends that according to the provisions of the twelfth section of the original act of July 1, 1862, "the whole line of said railroad and branches (of which branches said Kansas Pacific Railway forms one), shall be operated and used for all purposes of communication, travel, and transportation, as one connected continuous line," and by the amendment of July 2, 1864, section 15, it was provided, "that the several companies authorized to construct the aforesaid road are hereby required to operate and use said road and telegraph for all purposes of communication, travel, and transportation, so far as the public and the government are concerned, as one continuous line, and in such operation and use, to afford and secure to each, equal advantages and facilities as to rates, time, and transportation, without any discrimination of any kind in favor of the roads or business of any or either of the others," as well as the purport and effect of all the acts and their amendments.

It is not my purpose, at this time, to offer any argument in support of the proposition of this company, but simply now to present the matter to the department, and to call its attention to the great importance to the government and to the community at large, to have the rights of the two companies in this matter definitely settled, and to this end I have the honor to request that you will refer this letter and the account to the honorable Secretary of War for his consideration.

I have the honor to remain, very respectfully, your obedient servant,

ROB. E. CARR,
President and General Manager.

General M. C. Meigs,
Quartermaster-General, Washington, D. C.

Depot Quartermaster's Office,
Saint Louis, Mo., October 25, 1877.

Sir: I am called on by the Quartermaster General for a report in detail of the circumstances under which the Second Infantry was forwarded to San Francisco, Cal., via your route, in July last; also as to the apparent misunderstanding with the Kansas Pacific and Denver Pacific

Railways as to rates. I was not aware that there existed any such misunderstanding between us.

You agreed to furnish the transportation at a saving of $5 per man and when I made the award, you were made fully aware as to the manner in which I proposed to divide the rate.

Your Major Woods will remember that I declined to take the responsibility of deciding as to whether the Union and Central Pacific Railways were entitled to more than a prorate, and distinctly told him, as your representative, that I would only agree to give your road what was left out of the through rate of $111, after deducting the special rates agreed on for the Saint Louis, Kansas City and Northern and the Denver Pacific Railway, viz, $7.50 to the former and $3.50 to the latter, and giving the Union Pacific and Central Pacific Railways their regular rates, which we approximated at $46.50 for Union Pacific and $46.50 for Central Pacific; these divisions to be subject to the approval of the Quartermaster General, and your company to stand by their written guarantee on such divisions as might subsequently be made in case mine were not approved.

Please inform me if your understanding of the case was otherwise.

Very respectfully, your obedient servant,

E. B. GRIMES,
Captain and Assistant Quartermaster.

R. E. CARR, Esq.,
President Kansas Pacific Railway, Saint Louis, Mo.

DEPOT QUARTERMASTER'S OFFICE,
Saint Louis, Mo., November 5, 1877.

GENERAL: Referring to your communication of October 10, inclosing papers relative to the transportation of the Second Infantry from Saint Louis to San Francisco, in July last, and calling on me for a report in detail of the circumstances under which the route via Denver was selected; also as to the misunderstanding with the railways as to rates; also as to the guarantee of the Kansas Pacific Railway that the rate should be $5 per capita less than that which would have been paid had the troops gone via Omaha, and as to the validity and value of such guarantee, and, generally, what measures were taken to protect the interests of the United States in the matter, I have the honor to submit the following statement:

On the 5th of July I received a telegram from Maj. J. G. Chandler, chief quartermaster, Atlanta, Ga. (copy inclosed, marked A), as follows:

Second Infantry ordered to Ogden. Will you arrange for transportation? Think you can get better rates at Saint Louis than can be procured here. About four hundred officers and men, say twenty tons baggage and stores. Should start in three or four days.

On the 6th of July I replied, saying I would arrange for the transportation from Saint Louis, and immediately set to work to ascertain what rates could be procured hence to Council Bluffs, taking it for granted that I would have to forward them that route. On the 7th, not fully understanding Major Chandler's telegram of the 5th, I telegraphed him as follows: "Am I to understand that you want me to furnish transportation for Second Infantry from Atlanta to Ogden or

only from Saint Louis?" to which the following reply was received, (copy inclosed, marked B): "Transportation will be arranged by me for regiment from Atlanta to Saint Louis. Want you to forward from Saint Louis to Ogden. Will notify you how many cars to provide, and when, as soon as possible."

July 9, I telegraphed T. L. Kimball, general passenger-agent Union Pacific Railway, as follows: "At what rate per capita for men and carload for extra baggage will you transport Second Infantry, about four hundred and forty strong, from Omaha to Ogden? Also name rate for same command Cheyenne to Ogden. Answer quick;" and, in reply, received the following, (copy inclosed, marked C): "Will charge regular rates, which depends on destination of command."

On the 10th I received a proposition from C. K. Lord, general passenger-agent Saint Louis, Kansas City and Northern Railway, to transport the regiment hence to Council Bluffs at $12 per capita, and $110 per car for extra baggage. Seeing no other way than to give the Union Pacific Railway what they demanded, I had about concluded to notify them to prepare for the command, and had in fact accepted the offer of the Saint Louis, Kansas City and Northern Railway, when Maj. John L. Woods, the representative of the Kansas Pacific Railway, called at my office and made a personal application for the service on behalf of the road he represented, offering to do the business for less money.

Being fearful of delay at Cheyenne, and other obstacles that the Union Pacific Railway might throw in the way, and knowing that their speedy transit was an urgent military necessity, I told him that while I would like to encourage just competition and thereby obtain as low rates as possible, I hardly felt justified in risking the route via Denver, not but that it could be made as quick as via Omaha, but I was personally aware of the fact that there existed bad feeling between the two roads, and I feared it might culminate in trouble at Cheyenne, and thus cause a delay which I could not afford to risk, &c. In this shape the matter rested until the 12th, when I received a communication from R. E. Carr and D. M. Edgerton (copy inclosed marked D), proposing to transport the troops at a rate of $5 less per man than the route via Omaha, and guaranteeing no delay, &c. Considering the number of persons to be transported, I felt that this proposition was not to be rejected without full consideration, and, after fully comparing the rates and listening to the assurances of the Kansas Pacific officials that they would guard against the possibility of delay, I agreed that if the Saint Louis, Kansas City and Northern Railway Company would consent to release me from the acceptance of their rate to Council Bluffs, I would change the route and send the command via Denver. To this arrangement Mr. Lord assented and proposed a rate of $7.50 per capita, and $50 per car on extra baggage, Saint Louis to Kansas City. The passenger-rates were then arranged as follows:

Saint Louis, Kansas City and Northern Railway	$7 50
Kansas Pacific Railway	26 00
Denver Pacific Railway	5 00
Union Pacific Railway	46 50
A total of	85 00
Against Saint Louis to Council Bluffs	12 00
And Council Bluffs to Ogden	78 00
A total of	90 00

and I immediately telegraphed Captain Furey, assistant quartermaster at Omaha as follows: "The Second Regiment of Infantry, ordered to Ogden, will go via Denver and Cheyenne. Please notify the officers of the Union Pacific Railway that troops will probably reach Cheyenne Wednesday 18th instant; number about four hundred and forty officers, men, and laundresses. Steps should be taken by the railroad company to provide against any delay. Would like officers' families accompanying command to be passed free Cheyenne to Ogden. Answer."

I also telegraphed the general superintendent Union Pacific Railway to the same effect, giving him the number of passenger-cars that would probably be needed. This timely notice was given to the Union Pacific Railway to enable them to accumulate sufficient rolling-stock at Cheyenne with as little expense as possible.

The Kansas Pacific officials were also directed to prepare for the movement.

I telegraphed same day to Major Chandler that the regiment was going via Denver, and that officers' families and servants would be passed free from Saint Louis to Cheyenne, and requesting him to notify me soon as the baggage should leave Atlanta just how many cars would be required. That evening I received two telegrams from Chandler as follows: "Second Infantry leaves to morrow morning at 6.30 for Saint Louis. One special train of nine coaches, five baggage-cars, and two sleepers. Forward without delay to Omaha," signed Chandler, and apparently in reply to mine, as follows: "Commissary-General telegraphs that regiment would draw sub. stores at Omaha. Regiment takes seven days' rations from here—more of hard bread going via Denver. Where will they get necessary subsistence?"

Here again was a new complication: I had notified the Union Pacific Railway to provide cars at Cheyenne, and had directed Kansas Pacific to prepare to transport from Kansas City; had canceled my arrangement with the Saint Louis, Kansas City and Northern Railway between here and Council Bluffs and substituted the Kansas City rate.

There could be but two ways out of the difficulty. One was to cancel all my arrangements with the routes via Denver and make the best I could via Omaha. The other was to stand by my Denver arrangement and arrange to have the rations issued at this place or Cheyenne.

After fully considering the saving in expense—the possibility of further complications, and perhaps delays, if I undertook to make a change, and the fact that the command had already left Atlanta and would probably be here the next day, I determined to adhere to the Denver route, and accordingly telegraphed the chief commissary, through chief quartermaster, at Omaha, as follows: "In consequence of saving $5 per capita in transporting Second Infantry, I will send them via Denver. Please arrange to ration them at Cheyenne. Will notify you soon as possible of probable time of arrival there."

Later in the day the Kansas Pacific officials showed me a telegram from the Quartermaster-General to the effect that it was understood at that office that the Second Infantry was going via Denver. This, while it had no official effect, did serve to strengthen my belief that I was right, and that if rates were better, there existed no objections to the Denver route.

During the next day I heard unofficially that it was understood the regiment was going to San Francisco. Fearing further trouble, and to provide against any misunderstanding on the question of rates, I conferred with the Kansas Pacific officials and they fully agreed that if such was the case they would still hold to their offer and guarantee. This was on Saturday, and the command was expected the same day. They,

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cars,	
.....	$200 00
.....	165 00
.....	120 00
.....	766 95
.....	1,326 50
.....	2,578 45

The cost via Omaha, I estimate as follows:

4 cars to Council Bluffs, at $110	$440 00
Transfer 4 cars, at $10 per car	40 00
30,000 pounds, at $8 per 100 pounds, Union Pacific Railway	2,400 00
18,950 pounds, at $7 per 100 pounds, Central Pacific Railway	1,326 50
Total	4,206 50
A difference in favor of Denver route of	1,628 [illegible]

I compute the Union Pacific baggage charge at 30,000 pounds because there was at least that amount in excess of the free allowance when the command left here, and no change in that amount could well have been made in the billing this side of Ogden, and have computed the Central Pacific charges at what there was according to the bills of lading issued by Captain Foster, viz, 18,950 pounds.

Thus, in the matter of expense, I claim to have saved $5 per capita on the men, and over $1,600 on the baggage, a total of over $3,600.

As far as any misunderstanding existing with the Kansas Pacific Railway, concerning the rates, I would respectfully invite your attention to my letter to Mr. Carr, dated 25th ultimo, and his indorsement thereon (copy inclosed, marked E).

As to the validity of the guaranty, I have no doubt; Mr. Carr is president of the Kansas Pacific Railway, Mr. D. M. Edgerton of the Denver Pacific, and I have no doubt both were fully authorized and empowered to sign for their respective companies.

The entering of the rate of $12.50 on the transportation request issued to the Kansas Pacific Railway was a clerical error in failing to deduct the $5, which I rectified the next day with Mr. Carr, and intended to rectify officially when the request came in for adjustment.

No rate was entered on the requests issued for transportation over the Union Pacific and Central Pacific Railways, I assuming that neither of these companies had a right or would assume a right to charge the government more than was charged the public.

I strongly impressed upon the minds of the Kansas and Denver Pacific officials the fact that I would not undertake to arbitrate between them and the Union and Central Pacific Railway officials. This fact, I think, neither Mr. Carr nor Mr. Edgerton deny, and, as stated in my letter to Mr. Carr, dated October 25, these rates of $7.50 to Kansas Pacific Railway, and $3.50 to Denver Pacific Railway, were subject to the approval of the Quartermaster-General.

Referring to Mr. Carr's letter from Saint Louis, dated September 29, 1877, wherein he says the lowest offered rate I received, Saint Louis to San Francisco, was $112.50, I would say that he is at fault. I had no offered rate to San Francisco other than tariff. The rate of $12 to Council Bluffs was part of the $90 rate to Ogden which I had rejected when I concluded to use the Denver route; hence, the lowest rate I had offered to San Francisco was $111, the one I accepted.

He also says the "Union Pacific persuaded me to make such division as she demanded." There was no "persuasion" in the case. I persistently refused to decide what the Union Pacific was entitled to, but would only agree to give the Kansas Pacific what was left after giving those other roads what they were entitled to according to law, and which I merely approximated at the figures mentioned in my divis-

of the rate, as telegraphed the Quartermaster-General July 17, 1877.

The rates given the Denver Pacific Railway were special, and were agreed on by and between this office and the president of the road.

Referring to the Jay Gould dispatch repeated from New York, by Goodman, July 18, 1877, as follows: "No one has asked us for special rate account of troops via Cheyenne," &c., I would say that the statement is true, from the fact that, after learning that the regiment was going to San Francisco, and would therefore have to use the Central Pacific Railway (which fact I learned officially only on the arrival of the regiment in this city on Sunday), there was not sufficient time to consult the officers of that road, and I therefore expected, and so informed the Kansas Pacific officials, to allow that company, the Central Pacific, their full rates, whatever they might be. I fail, however, to see on what grounds the Central Pacific Railway can claim or demand more than their regular proportion of a through-tariff rate from Saint Louis to San Francisco, unless they receive their local on all government business between the points named; for I cannot see how the fact of their going via Denver should affect the Central Pacific so long as their rate is not disturbed. In this view I felt strengthened by reference to the last clause of act of Congress creating that corporation, as published on page 33, General Order No. 98, Adjutant-General's Office, November 14, 1872.

In conclusion, I desire to say that in arranging for the movement of this regiment, I was induced to use the routes I did, solely from motives of economy, and thought, and still think, that a considerable saving was effected. But had I known at the start, or before I had concluded my arrangement with the Kansas Pacific Railway, and had notified the Union Pacific Railway to provide cars at Cheyenne, that the regiment was going to San Francisco, I would not have undertaken to use the Denver route without first consulting the Quartermaster-General. This information was, however, received at too late a date to admit of a change or any hesitation, and I have no doubt that, had I, on Sunday, concluded to send them via Omaha, the Union Pacific Railway Company would have been ready and quite willing to present a bill for expenses incurred in making up the transportation ordered at Cheyenne.

I hope that my action will be approved by the Quartermaster-General; because I cannot yet see how I could have done differently, and similar circumstances are liable to present themselves at any time in the future.

I think the claim of the Kansas Pacific officers has been somewhat misunderstood by the Quartermaster-General, for I do not think they have any disposition to try to avoid protecting and standing by the rates as divided by this office, unless the Quartermaster-General should decide that my divisions were erroneous.

I inclose herewith the following new accounts:

Saint Louis, Kansas City and Northern Railway, freight	$212
Saint Louis, Kansas City and Northern Railway, passenger	3,120
Kansas Pacific Railway, freight	165
Denver Pacific Railway, freight	120
Denver Pacific Railway, passenger	1,456

Very respectfully, your obedient servant,

E. B. GRIMES,
Captain, Assistant Quartermaster.

QUARTERMASTER-GENERAL, U. S. A.,
Washington, D. C.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE.
Washington, D. C., November 13, 1877.

SIR: I have the honor to submit herewith for instructions, as to settlement, the following accounts of railroad companies, embracing the charges made for the transportation of the Second Infantry, from Saint Louis, Mo., to San Francisco, Cal., in July, 1877, viz:

The Saint Louis, Kansas City and Northern Railroad Company:	
From Saint Louis to Kansas City, troops, at $7.50	$3,120 [illegible]
From Saint Louis to Kansas City, freight	212 [illegible]
The Kansas Pacific Railroad Company:	
From Kansas City to Denver, troops, at $23.15	9,6[illegible] [illegible]
From Kansas City to Denver, freight	165 [illegible]
The Denver Pacific Railroad Company:	
From Denver to Cheyenne, troops, at $3.50	1,4[illegible] [illegible]
From Denver to Cheyenne, freight	120 [illegible]
The Union Pacific Railroad Company:	
From Cheyenne to Ogden, troops, at $46.50	19,344 [illegible]
From Cheyenne to Ogden, freight	776 [illegible]
The Central Pacific Railroad Company:	
From Ogden to San Francisco, troops, at $53.50	22,2[illegible] [illegible]
From Ogden to San Francisco, freight	1,3[illegible] [illegible]
Total transportation charges from Saint Louis to San Francisco	5[illegible],4[illegible] [illegible]

The regiment, as transported, consisted of 30 officers, 344 enlisted men, and 42 laundresses; total, 416 persons.

The route via Kansas City, Denver, and Cheyenne, instead of the route via Omaha, was selected because the Kansas Pacific Railroad Company offered and guaranteed to furnish the transportation through from Saint Louis to San Francisco at a rate of $5 per man less than it would have cost had the troops been sent via Omaha and thence over the Union Pacific Railroad, which railroad company signified its purpose of charging through-tariff rates for transporting the troops if sent through Omaha to San Francisco.

The agreement with the Kansas Pacific Railroad Company was, therefore, equivalent to fixing a rate of $111 per man from Saint Louis to San Francisco, for tariff rates via Omaha, would have amounted to $116.

The transportation having been furnished with this understanding, and the accounts for the service having now been rendered, it is observed that by footing up the charges made by each railroad company on the route for each portion of the service respectively, an aggregate rate of $134.15 per man is claimed for the service.

The Kansas Pacific Railroad Company still acknowledges its obligation to the effect that the transportation shall cost the department but $111 per man, but, as I understand, desires the United States to decide whether the charge of the Union Pacific Railroad of $46.50 per man from Cheyenne to Ogden, and the charge of the Central Pacific Railroad of $53.50 per man from Ogden to San Francisco, are not excessive, illegal, and subject to reduction.

That they are, the Kansas Pacific Railroad Company claims, and attempts to prove by arguments, herewith forwarded, based generally on section 6 of the act of Congress approved July 1, 1862 (12 Stat. at L., 492), viz:

And be it further enacted, That the grants aforesaid are made upon the condition that said company * * * shall keep said railroad and telegraph line in repair and use, and shall at all times transmit dispatches over said telegraph line, and transport mails, troops, munitions of war, supplies, and public stores upon said railroad for the government, whenever required to do so by any department thereof, and that the government shall at all times have the preference in the use of the same for all the purposes aforesaid, *at fair and reasonable rates of compensation*, not to exceed the amount paid by private parties for the same kind of service.

And section 15 of the act of Congress approved July 2, 1864 (13 Stat. at L., 358), viz:

That the several companies authorized to construct the aforesaid roads are hereby required to operate and use said roads and telegraph for all purposes of communication, travel, and transportation, as far as the public and the government are concerned, as one continuous line, and in such operation and use to afford and secure to each *equal advantages and facilities as to rates, time, and transportation*, without any discrimination of any kind in favor of the road or business of any or either of said companies, or adverse to the road or business of any or either of the others.

The case involves questions of law which I do not feel authorized to decide.

The tariff rates charged passengers for transportation from Omaha to San Francisco, involving the use of Union Pacific and the Central Pacific Railroads, is $100 each.

From Kansas City to San Francisco, involving the use of the Kansas Pacific, Denver Pacific, and Central Pacific Railroads, the tariff rate per passenger is $145. These rates generally have been in effect since August 1, 1875; but prior to that date the rate via Kansas City was less, being $127.50 for each passenger. On that date the following special notice was issued by the Union Pacific and Kansas Pacific Railroads:

In pursuance of an agreement made by the managers of the above roads, we hereby notify all connecting lines that, on and after September 1, 1875, all through tickets via the Union and Denver Pacific roads to points south of Cheyenne, and all through tickets via the Kansas and Denver Pacific roads to all points west of Cheyenne, must be withdrawn from sale.

THOMAS S. KIMBALL,
General Passenger and Ticket Agent Union Pacific Railway.
BEVERLY R. KEIM,
General Passenger and Ticket Agent Kansas Pacific Railway.

This notice, it is believed, was issued in consequence of hostilities between the Kansas Pacific and Union Pacific Railroads.

The route via Kansas City to San Francisco and points on the Union Pacific Railroad has not since been used by the department excepting in the case here reported, which is owing to the fact that the route via Omaha invariably costs much less.

For a history of the circumstances under which the transportation was provided by the Quartermaster's Department, I respectfully refer to the accompanying report of Capt. E. B. Grimes, assistant quartermaster at Saint Louis, Mo., dated October 5, 1877, under whose direction the service was performed.

The accounts will be promptly adjusted and settled on receipt of instructions as to the method to be adopted in arriving at the proper divisions of the through rate of $111 fixed for the entire service in the agreement with the Kansas Pacific Railroad Company. I suggest reference of the whole case to the Treasury Department.

Very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster-General, Brevet Major-General, United States Army.

Hon. SECRETARY OF WAR.

WAR DEPARTMENT, *November* 21, 1877.

Respectfully referred to the Second Comptroller of the Treasury for settlement.

By order of the Secretary of War.

H. T. CROSBY,
Chief Clerk.

HEADQUARTERS DISTRICT OF THE CLEARWATER,
Fort Lapwai, Idaho, November 15, 1877.

GENERAL: I am greatly annoyed and chagrined to report to you that through an inadvertence and misunderstanding, an error of one was made by me in the transportation requests signed by me for the movement of the Second Infantry from Atlanta, Ga., to Lewiston, Idaho.

I find that a Mrs. Fernon, a laundress in Company G of the Second Infantry, was taken ill just before we left Atlanta, and did not come with the regiment as was expected.

In the confusion of so rapid a movement of so many, and the number of women and children in cars occupied by laundresses, counts often made in the dark at night, I can understand that my officer of the day, officer of the guard, and acting regimental quartermaster might make an error of one in counting passengers, and I remember we often encountered some difficulty in discovering and removing from our troop-trains railroad tramps seeking for rides; once, my officer of the day removed three such men and I think one woman in the same twenty-four hours, and railroad officials informed me it was a matter of constant occurrence and difficult to prevent.

In two cases while moving through Kansas we discovered and removed unauthorized persons on our trains who were dressed partially in military uniform.

I am the more annoyed at the error I report to you as the railroad and steamship officials representing the companies that transported us, without exception, treated my men with the greatest kindness and consideration, and my officers are under obligations to many of them for unusual courtesies. They charged our laundresses nothing for transporting their many little ones; and, on the Pacific Railroads, through the courtesy of Superintendent Clarke, at Cheyenne, my servant, a little colored boy, was passed free—an attention that I was assured was not customary on those roads.

I am, general, very respectfully, your obedient servant,
FRANK WHEATON,
Brevet Major-General, United States Army,
Colonel Second Infantry.

Major-Gen. M. C. MEIGS,
Quartermaster-General, United States Army,
Washington City, D. C.

A true copy.

HENRY C. HODGES,
Deputy Quartermaster-General, United States Army.

QUARTERMASTER-GENERAL'S OFFICE, *December* 17, 1877.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., December 1, 1877.

SIR: With reference to the report from this office of November 13, 1877, forwarding the accounts for the transportation of the Second Infantry from Saint Louis to San Francisco via Kansas City, it is observed that the rate of $53.50 per man charged for the transportation over the Central Pacific Railroad, from Ogden to San Francisco, is in excess of the proportion which inures to that company on through-passenger travel from Ogden to San Francisco, viz, $46 per man; that is to say, the through-tariff rate charged the public from Omaha to San Francisco

s $100 per man, of which the Union Pacific Railroad receives on division $54, and the Central Pacific $46.

The charge of $53.50 per man for the transportation of these troops rom Ogden to San Francisco is the local-tariff rate for transportation etween those points; that is, the rate which would be charged a person whose journey should commence at Ogden and end at San Franisco.

I consider that this rate of $53.50 charged for the troops is $7.50 per assenger too much. The troops started from Atlanta, Ga., and passed irectly through to San Francisco; and I can see no sufficient reason or the Central Pacific Railroad charging $7.50 per man—$3,120 in the hole—more, for the reason that the men reached Cheyenne on the Union Pacific Railroad via Denver, instead of passing over the whole f the line of the Union Pacific Railroad from Omaha.

The cost to the company of their transportation over the Central Pacific from Ogden, the eastern terminus of that road, to San Franisco was in no manner affected by their having come through Denver nstead of through Omaha, and therefore the charge seems to me unjust.

This difference, excess in charge, had not been clearly brought to my ttention when the report of 13th of November was written.

Whether it be a violation of the law, being a discrimination against he Kansas Pacific and Denver Pacific Railways, depends upon the oint at issue between the roads; that is, whether the line from Kanas City to Denver, and thence to Cheyenne, is entitled to protection by he law against adverse discrimination.

Very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster-General, Bvt. Maj. Gen., U. S. A.

Hon. SECRETARY OF WAR.

WASHINGTON, *December* 6, 1877.

SIR: The Second Comptroller informs me that he has returned to ou the papers relating to the transportation of the Second Infantry rom Saint Louis to San Francisco in July, 1877, stating, in substance, hat a suit is now pending in the United States courts, in which the ssues involved are on trial, and recommending that the proportions due he Saint Louis, Kansas City and Northern Railway and Denver Pacific Railway and Telegraph Companies be settled. That as to the proporions due to the Kansas Pacific, Union Pacific, and Central Pacific Roads, a decision be postponed until the termination of said suit, unless ou deem postponement impolitic; in which case he recommends that he matter be referred to the Attorney-General for his opinion.

As there is no controversy as to the proportions due the Saint Louis, Kansas City and Northern Railway and to the Denver Pacific Railway and Telegraph Companies, the action of the Comptroller as respects them s proper and right, and the proportions due the two companies of $11 eing deducted from the through-rate of $111 guaranteed by the Kansas Pacific, leaves $100 to be apportioned to the Kansas Pacific, the Union Pacific, and Central Pacific Roads, and the proper apportionment f this rate gives rise to this controversy.

The Central Pacific claims $53.50, and the Union Pacific claims $46 50; which claims, if allowed, leave nothing to the Kansas Pacific for transportation of the troops for a distance of 638 miles.

The claim of the Central Pacific is illegal and excessive. The ordinary rate for travel over the Union Pacific and Central Pacific from

Omaha to San Francisco is $100; divided, to Central Pacific, $46; to Union Pacific, $54.

This rate of $46 the Central Pacific accepts from the public and all persons as its proportion of the rate on through-travel, and the Comptroller informs me that it is the rate at which the accounts of the company are settled in his office. The claim of $53.50 is therefore in excess of the charge made to the public in the sum of $7.50 for each man.

It is illegal because it is in violation of the acts of Congress. (See section 12, act of July 1, 1862; section 15, act of July 2, 1864; section 2, act of March 3, 1869; act of June 20, 1874.)

Section 15 of the act of July 2, 1864, reads:

> That the several companies authorized to construct the aforesaid roads are hereby required to operate and use said roads and telegraph for all purposes of communication, travel, and transportation, so far as the public and the government are concerned, as one continuous line, and in such operation and use to afford and secure to each equal advantages and facilities as to *rates*, time, and transportation, without any discrimination of any kind in favor of the road or business of any or either of the others.

In charging the government $7.50 per man more for this transportation than it charges the public, the Central Pacific acts in violation of the law.

The claim of the Union Pacific is also excessive and illegal in this, that while it charges the public for use of its road 5.23 cents per mile for travel, it charges the government at the rate of *nine cents* per mile for these troops.

Referring to the above-cited acts of Congress, the Kansas Pacific claims that the Union Pacific should not require from the public or government a greater rate of fare per mile on travel going on or coming from the line of its road at Cheyenne than it accepts from the public or government for travel going on or coming from the line of its road at Omaha, and that a greater charge than a *pro rata* per mile of its lowest through-rate is a "discrimination and a failure to *afford* and *secure* equal advantages and facilities as to *rates*, time, and transportation."

The line of the Union Pacific Railroad is between Omaha and Ogden, and 1,032 miles in length.

Cheyenne, the point of intersection by Kansas Pacific Railway, is midway of the line, equidistant from Omaha and Ogden, and the Union Pacific should charge only half of its through-rate to travel coming on at Cheyenne from Kansas Pacific.

The remaining $100 of the through-rate in controversy should be apportioned: To Central Pacific, $46; Union Pacific, $27; Kansas Pacific, $27.

Respectfully submitted.

KANSAS PACIFIC RAILWAY,
By ROB. E. CARR, *President*.

The SECRETARY OF WAR.

[Indorsements.]

QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., January 3, 1878.

Respectfully returned to the honorable the Secretary of War, inviting attention to the papers pertaining to this case, which have been returned to the War Department, with report from this office under date of December 31, 1877, and recommending that this argument be considered in connection with the case.

STEWART VAN VLIET,
Acting Quartermaster General,
Brevet Major-General, United States Army.

TREASURY DEPARTMENT, *December* 6, 1877.

Respectfully returned to the honorable the Secretary of War, with the following reply:

A suit is now pending between the same parties who are interested in the questions here presented in the circuit court of the United States for the district of Nebraska, and it is believed a determination of the points involved in that suit will judicially settle the questions presented at the present time by the inclosed correspondence, and it is respectfully recommended that the decision by this office of this question be postponed until the final determination of that suit.

Should the Secretary be of opinion that the postponement above recommended would be impolitic, I respectfully recommend that the questions presented be referred to the Attorney-General for his opinion.

It is understood that there is no controversy as to the proportionate amounts due respectively to the Denver Pacific Railway and Telegraph Company and to the Saint Louis, Kansas City and Northern Railroad Company, and it is recommended that the amounts due to them, respectively, be adjusted and settled without such delay.

W. W. UPTON,
Comptroller.

WAR DEPARTMENT, *December* 8, 1877.

Respectfully referred to the Quartermaster-General for any remarks he may have to make.

By order of the Secretary of War.

H. CROSBY, *Chief Clerk.*

QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., December 31, 1877.

Respectfully returned to the honorable the Secretary of War.

I think that the Attorney-General should be consulted in the matter, but I think that the Secretary of the Treasury is the officer to ask advice. He is the trustee for the Pacific railroads, and he takes the money and applies it to their credit on debt account.

In accordance with the foregoing recommendation of the Second Comptroller of the Treasury, the accounts of the Denver Pacific and the Saint Louis, Kansas City and Northern Railroad Companies have been withdrawn from these papers, and referred to Capt. E. B. Grimes, assistant quartermaster, Saint Louis, Mo., for settlement.

STEWART VAN VLIET,
Acting Quartermaster-General,
Brevet Major-General United States Army.

Memorandum from Holmes & Adams.

120 BROADWAY,
New York, December 13, 1877.

DEAR SIR: I desire to quote in my argument before the Attorney-General and Secretary of Interior a part of a report of Quartermaster-General Meigs to the Secretary of War relating to the transportation by our road of the Second Infantry, the words we say Jay Gould used, alleging that our road was out of repair and dangerous, as a reason why the government should not permit us to do the transportation. I think the report may be with the Second Comptroller; if not, he knows where

it is. My argument is partly in the printer's hands, and I am in great haste for the quotation, which will be a strong point.

Please make careful extract of such portions of what Meigs says Gould says. I think the part I want begins "Mr. Jay Gould, of New York."

I will send you a dispatch in the morning asking for the quotation, and the answer will be franked if you exhibit my dispatch at the telegraph office.

Copies acts received. Thanks.

In great haste.

ARTEMUS N. HOLMES.

To R. S. ELLIOTT or HENRY BEARD, Esq.

I send this to Mr. Beard, and will telegraph him, thinking Mr. Elliott may be out of town.

WAR DEPARTMENT,
Washington City, January 5, 1878.

SIR: I have the honor to invite your attention to certain reports of the Quartermaster-General, respecting a claim of the Kansas Pacific Railroad Company, in which are concerned also the Union and Central Pacific Railroad Companies, which reports are herewith transmitted to you, at the suggestion of the Quartermaster-General, and I would ask you to favor me with any suggestions or views that may occur to you in the matter.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

The Hon. SECRETARY OF THE TREASURY.

[Not transferable.]

416 fare, @ 53.50, $22,256.00.

H.—No. 76135.] ST. LOUIS, MO., *July* 15, 1877.

The Central Pacific Ry. Co. will please transport thirty (30) officers, three hundred and forty-four (344) men, and forty-two (42) laundresses, company ——, 2nd Regiment Inf., from Ogden, U. T., to San Francisco; en route from Atlanta, Ga., to San Francisco.

M. C. MEIGS,
Quartermaster-General, Bvt. Maj. Gen., U. S. A.

Signature of officer issuing the request:

E. B. GRIMES,
Capt. and Asst. Quartermaster, U. S. A.

The holder of this request, or the officer in charge of troops, is required to fill the receipt below before signing, stating the exact number of men transported, and the places from and to which transportation has been furnished. The receipt should be filled up in ink, if practicable, and if the person receipting cannot write his name, there should be a witness to his mark. Names and places should be written in full, and if the transportation is furnished by other than passenger-train or passenger-car, the fact should be stated.

OGDEN, U. T., *July* 20, 1877.

I certify, on honor, that Central Pacific R. R. Co. has furnished transportation for 30 officers, 344 enlisted men, and 42 laundresses, 2d Inf. from Ogden, U. T., to San Francisco, Cal., in compliance with the above request.

FRANK WHEATON,
Col. 2d Inft., Bvt. Maj. Gen'l., U. S. A.

OFFICE DEPOT QUARTERMASTER,
St. Louis, Mo., July 15, 1877.

I certify that this request is made upon the authority of ——, and on account of change of station.

E. B. GRIMES,
Capt. and Asst. Quartermaster, U. S. Army.

[Form No. 17.]

QUARTERMASTER'S DEPARTMENT, U. S. A.

No. —] [Rail.

Original bill of lading.

Received, Ogden, U. T., July 20, 1877, from Captain C. W. Foster, asst. quartermaster, United States Army, the following articles and packages of public property specified below (contents and value unknown) in apparent good order and condition, to be forwarded by the C. P. R. R. and connecting lines from Ogden, U. T., to San Francisco, Cal., there to be delivered in like good order and condition unto depot-quartermaster, United States Army. Freight to be paid on the original bill of lading to the —— —— by the disbursing quartermaster, U. S. A., at (payment for service prohibited by law) and at the rates hereinafter stated.

These stores are en route from Dept. of the South to San Francisco, Cal.

(Signed in duplicate.)

JAMES FORBES,
Agent for C. P. R. R.

DEPOT-QUARTERMASTER'S OFFICE,
Ogden, U. T., July 20, 1877.

I certify that I have shipped this day, by the C. P. R. R., the stores specified on this bill of lading, and that the weight is eighteen thousand nine hundred and fifty (18,950) pounds.

C. W. FOSTER,
Capt. and Asst. Quartermaster, U. S. Army.

Marks.	Packages, &c. Contents.	Weight pounds.	Rate and class.
2d Regiment U. S. Inf., San Francisco, Cal.....	Baggage, equipments, rations, ammunition, &c.....	60,550	Tariff, extra baggage.
	Deduct for 30 officer, 344 men, 42 laundresses.....	41,600	
	Excess baggage.....	18,950	

Received San Francisco, Cal., July 22, 1877, from the Central Pac. R. R., per special passenger-train, the public property specified within in good order and condition; weight, eighteen thousand nine hundred and fifty (18,950) pounds of ex. baggage.

WM. MYERS,
Major and Quartermaster, U. S. A.

[No. 14—amended.]

The United States to Central Pacific R. R. Co., Dr., for transportation furnished as per sub-vouchers herewith.

Date, 1877.	No. of sub-voucher. H.	From—	To—	No. persons.	Miles.	Total miles.	Rate.	Amount. Dolls.	Cts.
July 15	76135	Ogden, U. T...	San Francisco, Cal	416	883	883	$53 50	22,256	[illegible]
" 20	B. L. 305	.....	18,950 lbs. extra baggage, @ 7 per pound.....	.....	.....	.....	.....	1,326	50
			Total currency	.....	.....	.....	.....	[illegible]	[illegible]

This voucher is made in accordance with instructions from the Quartermaster-General of the Army in his letter dated July 26, 1877, No. 1069.

RATES.—Under passenger-circular, No. 32, Nov. 1, '75, forwarded to Qr. M. G. O. with C. P. R. R. acc't, Feb'y 10, '76. Extra baggage rates May 1, '72; forwarded Sept. 3, 1875.

I certify that the rates charged in the above account were the current and lowest rates charged the public when the tickets were issued.

———,
In charge of Passenger Dept., Cent. Pac. R. R.

I certify that the above account is correct and just; that the services were rendered as stated; that they were necessary for the public service.

WM. MYERS,
Maj. & Quartermaster, U. S. A.

[Not transferable.]

H.—No. 76130.] ST. LOUIS, MO., *July* 15, 1877.

The U. P. Ry. Co. will please transport thirty (30) officers, three hundred forty-four men, and forty-two (42) laundresses, Company ——, 2d Regiment Inf., from Cheyenne, W. T., to Ogden, W. T., en route from Atlanta, Ga., to San Francisco.

M. C. MEIGS,
Quartermaster-General, Bvt. Maj. Gen., U. S. A.

Signature of officer issuing the request:
E. B. GRIMES,
Capt. & Asst. Quartermaster, U. S. A.

The holder of this request, or the officer in charge of troops, is required to fill the receipt below before signing, stating the exact number

of men transported, and the places from and to which transportation has been furnished. The receipt should be filled up in ink, if practicable, and if the person receipting cannot write his name, there should be a witness to his mark. Names and places should be written in full, and if the transportation is furnished by other than passenger-train or passenger-car, the fact should be stated.

OGDEN, U. T., *July* 19, 1877.

I certify, on honor, that Union Pacific R. R. has furnished transportation for thirty (30) officers, three hundred and forty-four enlisted men (34[illegible]), and 42 laundresses, from Cheyenne, W. T., to Ogden, U. T., in compliance with the above request.

FRANK WHEATON,
Col. 2 Inf., Com'd'g.

OFFICE DEP'T Q'RM'R,
St. Louis, July 15, 1877.

I certify that this request is made upon the authority of ——— ———, and on account of change of station.

E. B. GRIMES,
Capt. & Ass't Quartermaster, U. S. Army.

[Form No. 17.]

No. 37.] QUARTERMASTER'S DEPARTMENT, U. S. A. [Rail.

Original bill of lading.

Received at Cheyenne, Wyo., July 18th, 1877, from Captain James Gilliss, asst. quartermaster, United States Army, the following articles and packages of public property specified below (contents and value unknown), in apparent good order and condition, to be forwarded by the U. P. R. R. and connecting lines, from Cheyenne, Wyo., to Ogden, Utah, there to be delivered in like good order and condition unto the depot-quartermaster, United States Army. Freight to be paid on the original bill of lading to the U. P. R. R. by the disbursing quartermaster, U. S. A., at Omaha, Neb., and at the rates hereinafter stated. These stores are en route from Dep't of the South to Pacific coast. (Signed in duplicate.)

W. B. NUFANT,
Baggage Agent for U. P. R. R.

DEPOT-QUARTERMASTER'S OFFICE,
Cheyenne, July 18, 1877.

I certify that I have shipped this day, by the Union Pac. R. R., the stores specified on this bill of lading, and that the weight is eighteen thousand nine hundred and fifty (18,950) pounds.

JAMES GILLISS,
Capt. and Ass't Quartermaster, U. S. Army.

Settlement as provided by law.

Marks.	Packages, &c. Contents.	Weight.	Rate and class.
		Lbs.	
2d Reg't U. S. Inf., San Francisco, Cal.	Baggage, equipments, rations, ammunition, etc.	60,550	Tariff, extra baggage rate, 4.10 per 100 lbs.
	Deduct for 30 officers, 344 men, 42 laundresses.	41,600	
	Excess baggage	18,950	

Received, Ogden, Ut., July 20, 1877, from U. P. R. R., the public property specified within, in good order and condition; weight, eighteen thousand nine hundred and fifty (18,950) pounds.

C. W. FOSTER,
Capt. and Ass't Quartermaster, U. S. Army.

[Voucher to Abstract B.]

The United States, to the Union Pacific Railroad Company, Dr., July, 1877.

For transporta tion furnished as per subvouchers herewith.

Date.	No. of subvouchers.	From—	To—	Number of men.	Rate.	Amount.
July 15	76,130	Cheyenne.....	Ogden	416	$46 50	$19,344 00
18	.....	Original bill of lading, No. 37, Cheyenne to Ogden, 18,950 lbs. extra baggage, @ 4.10 per 100 lbs.				776 81
						20,120 81

I certify that the rates charged in the above account were the current and lowest rates charged the public when the tickets were issued.

THO'S L. KIMBALL,
In charge of Passenger Dep't, Union Pacific R. R.

I certify that the above account is correct and just; that the services were rendered as stated; that in signing this certificate I am governed by subvouchers herewith, which, upon examination, I believe to be correct.

JOHN V. FUREY,
Capt. & Ass't Quartermaster, U. S. Army, in charge of Office.

[Form No. 17.]

No. —.] QUARTERMASTER'S DEPARTMENT, U. S. A. [Rail

Original bill of lading.

Received, Saint Louis, Mo., July 15, 1877, from Capt. E. B. Grimes, ass't quartermaster, United States Army, the following articles and pack-

ıges of public property specified below (contents and value unknown), n apparent good order and condition, to be forwarded by the Kansas 'acific Railway and connecting lines, from Kansas City, Mo., to Den- 'er, Col., there to be delivered in like good order and condition unto ıgent Denver Pac. R'y. Freight to be paid on the original bill of ading to the Kansas Pac. R'y, by the disbursing quartermaster, U. S. A., at Saint Louis, Mo., and at the rates hereinafter stated.

These stores are en route from Atlanta, Ga., to San Francisco, Cal.

(Signed in duplicate.)

G. W. SEDGWICK,
Agent for C. S. Greely, H. Villard, Receivers K. P. R. R.

DEP'T QUARTERMASTER'S OFFICE,
St. Louis, Mo., July 15, 1877.

I certify that I have shipped this day, by the Kansas Pacific Railway, the six car-loads specified on this bill of lading, and that the rate named below is correct.

E. B. GRIMES,
Ass't Quartermaster, U. S. Army.

2d U. S. Infantry: Six (6) cars officers' baggage, company property, rations, &c. Half class, A, special.

Deduct ⅔ free allowance baggage [two (2) erased] three (3) cars.

The above erasure done by my order.

E. B. GRIMES,
Capt. & A. Q. M.

Via K. P. R'y. No payments to be made this road.

Received, Denver, Colorado, July 18th, 1877, from C. S. Greely, Henry Villard, receivers Kansas Pacific, the public property specified within, in good order and condition, viz: six cars officers' baggage, company property, rations, &c.

S. R. AINSLEY,
Ag't Denver Pacific R'y.

[Form No. 17.]

QUARTERMASTER'S DEPARTMENT, U. S. A.

No. —.] [Rail.

Duplicate bill of lading.

Received, Saint Louis, Mo., July 15, 1877, from Capt. E. B. Grimes, ass't quartermaster, United States Army, the following articles and packages of public property specified below (contents and value unknown), in apparent good order and condition, to be forwarded by the Kansas Pacific R'y and connecting lines, from Kansas City, Mo., to Denver, Col., there to be delivered in like good order and condition unto ag't Den Pacific R'y. Freight to be paid on the original bill of lading to the Kansas Pacific R'y by the disbursing quartermaster, U. S. A., at St. Louis, Mo., and at the rates hereinafter stated.

These stores are en route from Atlanta, Ga., to San Francisco, Cal.

(Signed in duplicate.)

DEPOT-QUARTERMASTER'S OFFICE,
St. Louis, Mo., July 15, 1877.

I certify that I have shipped this day, by the Kansas Pacific R'y, the six car-loads specified on this bill of lading, and that the special rate inserted below is correct.

E. B. GRIMES,
Ass't Quartermaster, U. S. Army.

2nd U. S. Inf.: Six (6) cars officers' baggage, company property, rations, &c., ½ class, A, special.

Deduct ⅚ free allowance baggage [two (2) erased] three (3) cars.

The above erasure done by my order.

E. B. GRIMES,
Capt. & A. Q. M.

Via K. P. R'y. No payments to be made this road.

Received, Denver, Colorado, July 18th, 1877, from C. S. Greeley, Henry Villard, receivers Kansas Pacific R'y, the public property specified within, in good order and condition, viz: six cars officers' baggage, company property, rations, &c.

S. R. AINSLY,
Ag't Denver Pacific R'y.

Countersigned:
E. B. GRIMES,
Capt. & A. Q. M.

[Account No. 226.]

U. S. Gov't to C. S. Greeley, Henry Villard, receivers Kansas Pacific Railway Co.

State line to Denver:
Company property, &c., 3 cars @ ½ class, A, $55.00.....$165.00
July 15, 1877.

[No. 16.]

The United States to Kansas Pacific R'y Co., Dr., for transportation furnished as per sub vouchers herewith.

No. of bill of lading.	Date, 1877.	From—	To—	Miles.	Class.	Weight.	Rate.	Amount.	
								Dolls.	Cts.
50	July 15	Kansas City	Denver.....	639	½ A.	3 cars	$55 00	165	00

One hundred and sixty-five dollars.

SAN FRANCISCO, CAL., [illegible]

The United States Government to the Central Pacific Railroad Company, Dr.

[Passenger %, c'y. For transportation furnished in month of July, 1877, as follows:]

Date of gov. order.	Date of transportation.	No. of way-bill or order.	From—	To—	Articles.	Fare.	Rate in—	Amount in c'y.	Miles or amounts on—			
									Aid.	Non.	Aid.	Non.
July 15	July 20	76135	Ogden	San Fran..	30 officers, 344 men, 42 laundresses, under pas. cir. No. 32, Nov. 1, '75, en route from Atlanta, Ga., to San Fran., via Denver.	416	53 50	22,256 00	851	32	21,449 44	806 56
" 20	" 19	23133	" ...	" ..	Extra baggage, under extra-baggage rates, May 1, '72, en route from Atlanta, Ga., to San Fran., via Denver.	18,950	7 00	1,326 50	851	32	1,278 43	48 07
						.....	.....	$23,582 50	.....	....	$22,727 87	$854 63

QUARTERMASTER-GENERAL, U. S. A., *Washington, D. C.*

45TH CONGRESS, 2d Session. } SENATE. { Ex. DOC. No. 30.

LETTER

FROM

THE SECRETARY OF WAR,

COMMUNICATING

Information in relation to the surveys of the Missouri River at Omaha, Atchison, Plattsmouth, and Brownville, by Maj. C. R. Suter, Corps of Engineers.

FEBRUARY 19, 1878.—Referred to the Committee on Commerce and ordered to be printed.

WAR DEPARTMENT,
Washington City, February 18, 1878.

The Secretary of War has the honor to transmit to the United State Senate, for the information of the Committee on Commerce, a letter from the Chief of Engineers, dated the 14th instant, and copy of reports of surveys of the Missouri River at Omaha, Atchison, Plattsmouth, and Brownville, by Maj. C. R. Suter, Corps of Engineers.

GEO. W. McCRARY,
Secretary of War.

The PRESIDENT *of the United States Senate.*

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., February 14, 1878.

SIR: The river and harbor act of August 14, 1876, contained an item making an appropriation of $100,000 for the improvement of the Mississippi, Missouri, and Arkansas Rivers, with a proviso, "That forty thousand dollars of the above sum shall be expended on the Missouri River, including improvements opposite Saint Joseph, Mo., and at Nebraska City."

From this latter sum an allotment of $5,000 was made for examinations and surveys at Omaha and Council Bluffs, Atchison, Plattsmouth, and Brownville, as may be seen by reference to pages 80 and 502 of the Annual Report of the Chief of Engineers for 1877.

The reports upon these examinations and surveys have recently been submitted to this office by Maj. Charles R. Suter, Corps of Engineers, to whom they were assigned, and copies of them are respectfully submitted herewith, with the suggestion that they be sent to Congress for the information of the Committee on Commerce of the Senate and House of Representatives.

In regard to the survey at Omaha and Council Bluffs, the officer in charge is of opinion that, at the present time, owing to the changes going on, the permanent rectification of the channel of the river at that point cannot be undertaken, but recommends that any proposed work be directed solely to the prevention of further changes which may be

likely to prove injurious. He thinks that the first and most obv necessity is to prevent further encroachment on the Nebraska shore, has accordingly limited his estimate to the work projected for this pose. He recommends a revetment of the bank for the distanc 5,000 linear feet, at an estimated cost of $80,000, and suggests that whole amount be appropriated, in order that the work may be c structed before the next high water.

In reference to the survey at or near Atchison, Kans., Major S states that it shows that there are impending changes in the channe the river which imperil the safety of the railway-bridge, or will re its draw-spans impassable to steamboats. There are three source danger referred to by this officer, but that which in his judgment quires immediate attention is the rapid caving of the banks in bend immediately above the bridge, which should be protected f further abrasion as soon as possible, as any delay might entail the c struction of additional works designed to force the channel farther the north and west. For this purpose he recommends a revetment about 7,000 feet of the bank, at an estimated cost of $56,000, and t sum he thinks should be appropriated at once, as there is great dang that the work, if not fully completed, may be entirely lost.

The survey at Plattsmouth develops the fact that the regimen of t Missouri River in the neighborhood of that town, owing to the influ of the Platte River, is exceedingly unstable, and that the erosion of t banks threatens the destruction of much valuable farming-land, an seriously endangers the safety of the railroads running to that poin The extent of the threatened damage, as well as the cost of protectio cannot be ascertained, however, until further detailed surveys are made These surveys Major Suter thinks should cover the whole ground be tween Plattsmouth and Omaha, a distance of 30 miles, and would cost about $3,500. He recommends the appropriation of this sum.

In regard to the examination at Brownville, Nebr., Major Suter reports that the erosion of the banks on the Missouri side of the river is causing a recession of the sharp bend, at the foot of which this town is situated, down stream, and threatens to fill up the harbor; at the same time, the cutting of the Nebraska shore in front of and below the town is destroying much valuable property. He says the actual extent of the work required to protect the banks cannot be decided until a survey is made, though, from present indications, the cost of the protection may be $50,000. He recommends a further survey, extending to join that already made at Nebraska City, a distance of 33 miles, at an estimated cost of $3,000.

The views and recommendations are concurred in.

Very respectfully, your obedient servant,

A. A. HUMPHREYS,
Brigadier-General and Chief of Engineers.

Hon. GEO. W. MCCRARY,
Secretary of War.

SURVEY OF MISSOURI RIVER AT OMAHA, NEBR.

UNITED STATES ENGINEER OFFICE,
Saint Louis, Mo., December 14, 1877.

GENERAL: In accordance with your instructions of April 30, 1877, I dispatched a party to Omaha, Nebr., on May 19, to make a survey of the Missouri River at that point, with a view to determining whether it were

ossible to prevent the formation of a threatened cut-off, and generally o protect the banks in the neighborhood from the encroachments of the iver. At the time this survey was made the water was already flowing ver the neck in several places, and before the subject could be considred the river broke through.

During the month of November another survey was made, and the esults of the two surveys are set forth on the map which accompanies his report. The cut-off was formed July 8, and a very violent erosion egan at the apex of the new bend, threatening all the low ground in ont of the bluffs, with the car-shops of the Union Pacific Railroad, nd other buildings erected on it, as well as the western approaches to e bridge. The danger was met by the Union Pacific Railroad Company, ho constructed a loose stone revetment along the portion of the bank ost violently attacked, and succeeded finally in checking the erosion ntil the falling of the river removed the immediate danger. It is, hower, pretty certain that at the next flood-stage the cutting will be reewed, and there is no telling when it will stop. The river is yet in a ery unstable condition, the slope being inordinately great and the rvature of the bend excessive. I do not, therefore, consider that it ould at present be practicable to attempt the permanent rectification the channel, but would recommend that any work done be solely rected to prevent any further changes which may seem likely to prove jurious. I consider that the first and most obvious necessity is to preent any further encroachments on the Nebraska shore above the bridge. this is done it is probable that the whole bend will move down stream, d this should be allowed to take place until the channel strikes the e of the bridge at right angles. As soon as this is accomplished the wa shore above the point will have to be held. No estimates for this rk can yet be submitted, and as the work may not be needed for seve- years, I have confined my estimates to the protection of the Nebraska re above the bridge.

The report of my assistant, Mr. Boehmer, will give all the facts nesary for a full comprehension of the subject. I have submitted a difent plan for the work required, because I do not consider it solely a tter of protecting any particular structures on the low ground ween the bluffs and the river, but that the problem is more especially broad one of preventing the river from taking a shape that will ow the channel obliquely across the line of the bridge and render it assable for steamboats. I recommend that the revetment already un by the Union Pacific Railroad Company be extended in both ections, about 4,000 feet below and 1,000 feet above their work, using this purpose fascine mattresses, loaded with stone, as has been done er my direction at Saint Joseph, Mo. This work should be done re the next high water, and the whole sum asked for should be apriated at once, both with a view of reducing the cost of materials and to prevent the whole work from being lost through incompleteness.

ESTIMATE FOR REVETTING 5,000 LINEAR FEET OF BANK.

cords brush, made into fascine mattresses and placed in position, at 50 per cord	$17,500
0 yards rock, placed in position, at $3 per yard	60,000
ingencies	2,500
Total	80,000

I am, general, very respectfully, your obedient servant,

CHAS. R. SUTER,
Major of Engineers.

ig. Gen. A. A. HUMPHREYS,
Chief of Engineers, United States Army.

REPORT OF MR. MAX BOEHMER, ASSISTANT ENGINEER.

SAINT LOUIS, MO., *December* 7, 1877.

MAJOR: During the latter part of May, 1877, a survey was made of the Missouri River, in the vicinity of Omaha, Nebr., with a view of ascertaining the proper means for preventing an anticipated cut-off through the Iowa point opposite, or else to devise plans, intended to ameliorate the dangerous consequences of such occurrence.

My report on this survey, dated June 27, 1877, intends to establish the impracticability both of prevention and amelioration of the danger, and recommends that no action be taken until after the occurrence of the cut-off, and, further, that time enough be allowed for the river to partly re-establish its normal regimen.

Shortly after, on the 8th of July, 1877, the cut-off happened, and the river broke through the Iowa point with tremendous force.

A resurvey of the ground was ordered, and the field-work commenced on the 2[illegible] October, 1877.

The results of this survey, accompanied by the usual maps, I respectfully submit in the following report:

In breaking through the peninsula, the newly-formed channel, with greatly increased velocity, threw its entire force straight into the Nebraska shore, on a line leading directly toward the Union Pacific Railroad shops. A terrible erosion of the bank at that point was the consequence, and the river had cut into the shore a distance of 1,200 feet when further inroads were checked by extraordinary efforts, under the direction of the Union Pacific Railroad Company. Sand-bags, stone, and brush in large quantities were thrown into the river at the points most severely attacked, and a strong revetment 2,000 feet long constructed. The different data arrived at by the survey show plainly that the river is still in a greatly unsettled condition.

Just below the cut-off, and along the revetment, the river now turns at a radius of only 1,200 feet, and this sharp curve occasions a flat slope of 0.31 foot per mile for a distance above, while farther up the river, and below the bridge, a fall reaching [illegible] to 1.30 feet per mile has been found. The current, as it leaves the sharp bend spoken of, is still swift, entirely beyond its normal velocity, for here the greatest speed found was 5.08 miles per hour at the surface, and 4.35 miles at mid-depth. That such current is abnormally swift is proven by the fact that five months previous, during a stage [illegible] feet higher, the maximum found was 5.85 miles at the surface and 5.23 at mid-depth.

The greatest velocity found during a similar stage of low water at Saint Joseph, Mo., was but 2.47 miles per hour. Even the slope of the river for a distance of 14 miles was found in a still unsettled condition.

The difference of elevation in the river's surface between Florence and a point [illegible] miles below the bridge has decreased but 0.4 foot, although the distance between these points has been reduced by the cut-off from 18 to 14 miles. Before the change in the river, at a stage 13 feet above low water, the mean slope between these points was [illegible] foot per mile; at present, at a stage of 6 feet, it is as much as 0.82 foot per mile. It may safely be asserted that the greater part of this increase is still due to the sudden change of the regimen of the river. A discharge taken at a stage of 6 feet gave the following figures:

Average velocity 3.29 feet per second, which equals 2.24 miles per hour; area of cross-section equals 5,007.6 square feet; discharge per second equals 20,178.4 cubic feet.

Concluding, by reason of the above figures, that the river has not recovered its equilibrium and natural shape in the vicinity of the cut-off, a continuation of the violent action during the last high water may be expected the coming season.

Up to this time the Union Pacific revetments have held the river, and will probably continue to do so, as long as the latter remains in its low stage, even at the very sharp curve of 1,200 feet radius. But it is evident that the high waters of next June cannot be turned at such an angle, and it must be expected that the river will force an easier curve and freer passage at this point, not through the revetment, perhaps, but either above or below it. The point of impact on the Nebraska shore at present lies a little above the middle of the revetment.

But this will change as the river rises, and it seems highly probable that during the first part of the flood-season, the west side of the island created by the cut-off will be cut away farther, and that in consequence the main attack of the channel will be directed against the shore above the riprap. But at the same time, and as long as the flood lasts, the Iowa point, sharp and narrow as the last high water has left it, will be equally exposed and cut away by the current for some distance. This natural action on the Iowa point will be largely increased in power, not only by the resistance of the force of the ripraps, but also by the bed-rock beneath and beyond the latter.

Such partial destruction of the Iowa point will not only allow but even compel the river to turn sooner, and at the same time will furnish room for an easier curve. In consequence, the channel will strike the Nebraska shore at a point below the ripraps, and in a line toward the smelting-works. From here the channel will work its way along the Nebraska shore, and remain permanent under the first or second span of the bridge on the west side.

ould this theory prove to be correct, the Union Pacific Railroad shops would remain rm. But should the river, as seems possible, work its way behind the revetment ab e, and keep on in this direction the point of impact moving up stream, even the Union Pacific shops would be safe from destruction by reason of the high ation of the bed-rock underneath them. The low-water channel can never reach the extreme eastern parts of the shops, because the bed-rock at this point is but feet below low water.

r the same reason the main thread of the current during the high water will be away from this point, since it cannot dig a sufficiently deep channel to create a manent bed.

ide currents may eventually wash away the earth up to the shops, but against such banks can be easily held. Only the main channel of the river is to be really feared. the western edge of the shops, the bed-rock rises to within 1.6 feet of low-water rk, a dip of 2.7 feet in 660 feet.

for the reasons set forth above, I consider the Union Pacific shops exempt from nger, whatever action the river may pursue in its next rise. They surely may be nsidered safe for one season, and I would therefore recommend that at present only ch points be protected as are plainly and clearly in danger, since the river during e year may change in such a manner as to dictate a line of improvement entirely ferent from that indicated by its present aspect, and work may be wasted at points hich the river never will touch.

Only the smelting-works and the western approach of the bridge will, in my opin- n, be dangerously exposed to the violent action of the river during the next high ater, because both points lie in the line of attack, and neither is guarded sufficiently y the bed-rock underneath.

At the top of the western embankment the bed-rock lies 13 feet below the zero of the gauge, and on a straight line from here to a point about 100 feet east of the smelt- ing-works, the mean depth of the bed-rock (derived from seven soundings) is 12.8 feet below low water.

In giving the elevations of bed-rock below low water, a slope of 6.7 foot per mile has been assumed.

It is probable that one season of high water will give sufficient time to carry the channel dangerously close to or even beyond these points, and it is therefore necessary o begin the work as soon as possible, and finish it before the height of the June rise nundates the ground.

The protection I would recommend for this purpose consists of two separate revet- nents, built of stone only, and located as far back toward the bluffs as possible, to take dvantage of the higher elevation of the bed-rock, these ripraps to be located as hown on the accompanying sketch. No stone containing less than one cubic foot hould be used in their construction. One of these revetments, 800 feet long, to be uilt at the west approach of the bridge, the other, 1,200 feet long, close to and in ront of the smelting-works, and the faces of both in exact line with each other, and line with the projecting point of the bluff, about a mile below the bridge.

To build these ripraps back from the shore I would propose to dig trenches with a lope of 1:1 on the inside and 1½: 1 on the outside, and fill them with stone, in a manner hown by the sketch below.

The stage of the river up to the end of April would allow a depth of 10 feet for hese trenches, and make it possible to draw off the water by means of ditching. It s expected that the river will work to these ripraps, and, by undermining, cause the tone to tumble in and take its own slope; there is stone enough to form a riprap 3 eet thick, and reaching down to bed-rock at a slope of 1:1. Some repairs and addi- onal stone may be necessary in places hereafter, but in the main these ripraps would believe, be largely sufficient to hold the bank.

The cost of this work is estimated as follows:

000 linear feet riprap, at 4.33 cubic yard	12,990 cubic yards stone.
ubtract 25 per cent. for solid-rock measure	3,247 cubic yards stone.
Total	9,743 cubic yards stone.

For the following estimate of earth-excavation 1,000 linear feet of trench is allowed r ditching.

000 linear feet of trench, at 4.63 cubic yard	18,520 cubic yards earth.

COST.

,743 cubic yards solid rock (placed), at $3.50	$34,100 50
,520 cubic yards earth-excavation, at 20 cents	3,704 00
	37,804 50
ntingencies	3,795 50
Total cost	41,600 00

According to your instructions, the survey was extended farther on the other s the river, so as to gather all available information and investigate the apprehe danger to the city of Council Bluffs, Iowa. Additional lines were run for that pose, especially to establish the location of the lake and the line of bluffs abov town. The result shows no immediate danger from any direction whatever.

Quite a large part of Council Bluffs is built on the Missouri River bottom, and that reason alone to be considered as standing on dangerous ground, since the ri liable, in its continual changes, to strike any point between the bluffs; but that is no special or immediate danger to any part of that town at the present t proven by the following facts and figures, viz:

The bluffs above the city protect it to a large extent; the nearest point of the bed is still 9,500 feet distant from the Chicago and Northwestern Depot on Broa the apex of the bend below town is 15,800 feet distant from the same point; an peninsula, at its narrowest point, is still 23,000 feet, or a little less than 4½ miles

The river may hereafter possibly, and even probably, work its way into its old the present lake; but even this would not endanger the city, but, on the con would create a more desirable landing, and still leave the river-bed a distance of feet from the Northwestern depot.

In addition to all this, the recent formation of the cut-off will draw off the from above faster, and thereby give the river a tendency to straighten out in locality. This will lessen the danger of severe encroachments for some years to c especially since the flood-level has also been lowered by the same agency.

Very respectfully,

MAX BOEHMER.
Assistant Engi

Maj. CHARLES R. SUTER,
Corps of Engineers, United States Army.

SURVEY OF MISSOURI RIVER AT ATCHISON, KANS.

UNITED STATES ENGINEER OFFICE,
Saint Louis, Mo., January 3, 187

GENERAL: I have the honor to submit herewith a report and ma a survey made of the Missouri River, near Atchison, Kans., by my sistant, Mr. Max. Boehmer, in compliance with your instructions of M 18, 1877. From this report it will be seen that there are impend changes in the channel of the river at this point which threaten to stroy the railroad-bridge, or to render its draw-spans impassable steamboats.

Three sources of danger are noticed: First, it appears that in the tom-land on the Missouri side of the river, there exists a chain of lak which are quite probably the remains of ancient channels of the riv Much apprehension is felt that, owing to ice-gorges or other causes, river might break through into these lakes and abandon its pres channel altogether. This contingency, although not impossible, I reg as highly improbable, for although there are thousands of instan of similar lakes scattered through the bottom-lands of the Missouri, Mi sissippi, and Arkansas Rivers, yet no instance has yet been recorded, my knowledge, of a change occurring of the character apprehended he

The second source of danger lies above Atchison, where a narrow ne separates two bends of the river. There is considerable abrasion on th upper side of this neck, and it is possible that a cut-off may, eventual form here. Still, the danger is not very great, as the lower side of th neck is not much affected and the point of impact is working do stream. It would be desirable, however, to extend the survey several mile farther, and to watch and note any further changes in this neighbo hood.

The immediate source of danger lies, however, in the rapid caving the Missouri shore in the bend immediately above the bridge. This h

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eady, since the completion of the bridge, progressed to an extent that iously threatens both the structure itself and the maintenance of vigation through the draw-spans.

It seems, therefore, imperatively necessary to protect this bank from ther attack as soon as possible, as any delay will probably entail the construction of additional works designed to force the channel farer to the north and west.

Mr. Boehmer recommends that about 7,000 feet of bank be protected a revetment of mattresses loaded with stone, and submits an estiate therefor of $56,000. The character of the work would be similar that carried on during the past season at Saint Joseph, Mo., and hich has proved satisfactory. The plan and estimate are approved by e, and I would merely add that if the work be undertaken the whole m should be appropriated at once as there is great danger that the ork, if incompletely carried out, may be entirely lost.

I am, general, very respectfully, your obedient servant,

CHARLES R. SUTER,
Major of Engineers.

Brig. Gen. A. A. HUMPHREYS,
Chief of Engineers, United States Army.

REPORT OF MR. MAX BOEHMER, ASSISTANT ENGINEER.

SAINT LOUIS, MO., *December* 28, 1877.

MAJOR: I have the honor to submit the following report on the survey of the Misri River in the vicinity of Atchison, Kans.

The field-work was done during the first part of November, 1877, and takes in a disce of 12 miles by channel from a point 3 miles below the bridge to the apex of the d above Doniphan, Kans.

The stage of the river at the time was recorded as 4 feet 6 inches above low-water rk on the bridge-gauge at Saint Joseph, Mo. The zero of this gauge would be more rect if assumed 2 feet lower. This would make the actual stage during the survey eet 6 inches above the lowest water, or 15 feet 6 inches below the high water of 4.

The slope of the river near Atchison, measured at short distances, shows considera- irregularity, ranging from 0.48 to 0.90 foot per mile. But comparing the slopes of ger stretches, from 3 to 5 miles in length, more uniformity is found, *i. e.*, from 0.60 .76 foot per mile, while the mean slope of the entire distance surveyed was found e 0.70 foot per mile.

here is no immediate danger on hand from any quarter in this locality, nor is such rehended by corporations or individuals interested; but there is good cause for aphension in the near future from two different and distinct directions. A third dan-, also, is pointed out in the possibility of a sudden or gradual entrance of the river the chain of lakes, running in a southerly direction and on a line from 2 to 3 miles t of the bridge. Such occurrence, however, I consider as impossible, judging from character and the condition of the ground, and it could be brought about only by ccession of preliminary changes which, by reason of their nature and extent, would r the relative conditions so radically as to present a case of entirely different aspect. great volume of water will take the way of least obstruction, and the nature of ground at present justifies the assertion that the heaviest ice-gorge in the bed of river would appear insignificant as an obstruction compared to the natural impednts prohibiting the formation of a channel through the chain of lakes. The stretch igh ground, 4,200 feet wide, separating the upper lake from Sugar Lake, presents bstruction far more formidable than any that could possibly form in the bed of the r at either its high or low stage.

ut there is danger in store for the bridge from the continual abrasion of the Misri shore directly above it, and also from the possible formation of a cut-off through neck of land opposite Doniphan. Should the river break through here it would be ossible to foretell the consequences and entirely impracticable (by reason of the rmous cost) to guide the waters safely past the bridge. Such radical change in the r may occur possibly without harming the bridge to any great extent, but it is far e probable that in breaking through and striking the Kansas shore, the river will

rebound, strike the east end of the bridge, and establish its main channel, at least for a time, under one of the fast spans, making the structure at once a total impediment to navigation. And should the channel work its way under either of the two eastern spans, it will in all probability result in the destruction of both, since neither the most eastern pier nor the east abutment have their foundation on the bedrock underneath. This may not be a necessary consequence under ordinary circumstances and at a normal condition of the river, but it is almost sure to happen under the easily-increased pressure consequent upon the formation of a cut-off only 3 miles above. The only safety, therefore, lies in the prevention of the cut-off.

The width of the neck under question is still 5,300 feet at the narrowest point; the ground is high and old, and covered with heavy timber, and there is but little cause for apprehension for some years to come, especially since the lower side of the neck is safe from further encroachment, because here the river is held in check by the bluffs on the Kansas side above. But the upper side, from the peculiar shape of the river at that point, is in a position to be attacked severely; and such attack is apt to increase in power the farther the river eats into the shore, because such action will tend to decrease in proportion the radii of the reversed curve which the channel assumes here to the bluffs below. The upper side of the neck, therefore, alone needs protection, and to ascertain the proper method a further survey, reaching 8 miles above present, is necessary.

The second danger to the bridge has its source in the caving of the Missouri bank in the bend above the bridge. This, if allowed to continue, may cause the channel to leave its position under the draw, and at last even endanger the safety of the east end of the bridge. The river has been suffered to cut into the bank too far already at this point, and it would be preferable in a contemplated improvement to re-establish the shore-line of 1873 by means of a dike, built of mattresses. But the greater cost of such improvement would hardly be justifiable, since the present shore-line leaves a channel directly under the draw, over 90 per cent. of the water in the river passing under it at a channel-depth of 53 feet.

By reference to the map it will be seen that since 1873 the banks of the bend have been cut away more or less, and to a maximum of 800 feet, with the exception of a stretch 3,400 feet long, which has been left intact, and remains exactly the same as it was four years ago. This strip is situated just below the old river-bed, and the reason of its preservation may be found partly in the peculiar shape of the bend, as the drawing will show, and partly in the stronger resistance of the material deposited in the old river-bed. This material consists of fine sediment and vegetable matter entirely without any mixture of coarse sand. I think it, therefore, sufficient at present to protect the shore up to this point, a distance of 7,000 feet. Hereafter the continued cutting above will probably necessitate a further revetment above; but the longer this may be avoided the less revetment will eventually be required, since the point of impact at the head of this bend is moving down-stream, and will continue to do so as long as the Kansas shore below Independence Creek is washed away.

The importance of the Atchison bridge, because of the heavy traffic over it, strengthens the argument that steps should be taken as soon as possible to assure its safety, and the interest of the free navigation of the river demands that efficient measures be employed to secure the permanency of the channel in its present position, under the draw-span of the bridge.

For the protection of the bend above the bridge, I would recommend a simple revetment of mattress-work, loaded with stone and built to a height of 6 feet above the water; the entire work to be 7,000 feet long and 40 feet wide.

Assuming the price of stone delivered at $2 per cubic yard, and brush delivered at $1.25 per cord, the cost of the work, with contingencies, is estimated at $8 per linear foot, making the cost of the entire work 8 × 7,000 = $56,000.

Very respectfully,

MAX BOEHMER
Assistant Engineer.

Maj. CHARLES R. SUTER,
Corps of Engineers, United States Army.

EXAMINATION OF MISSOURI RIVER AT PLATTSMOUTH, NEBR.

UNITED STATES ENGINEER OFFICE,
Saint Louis, Mo., February 9, 1878.

GENERAL: I have the honor to forward herewith the report of an examination made at Plattsmouth, Nebr., by Mr. A. H. Blaisdell, assistant

t engineer. From this report it will be seen that the regimen of the issouri River, in this neighborhood, owing to the influx of Platte ver, is exceedingly unstable, and that the erosion of the banks threatens e destruction of much valuable farming-land and seriously endangers e railroads running to this point.

The extent of damage threatened as well as the cost of protection nnot be given without a regular survey, which should cover the whole ound between Plattsmouth and Omaha, in order to give a clear idea the subject. The total length of survey required would be 30 miles, id the cost would be $3,500, which it is recommended should be ap-opriated for the purpose.

I am, general, very respectfully, your obedient servant,

CHAS. R. SUTER,
Major of Engineers.

Brig. Gen. A. A. HUMPHREYS,
Chief of Engineers, United States Army.

REPORT OF MR. A. H. BLAISDELL, ASSISTANT ENGINEER.

UNITED STATES ENGINEER OFFICE,
Saint Louis, Mo., January 15, 1878.

MAJOR: The following report is the result of my recent examination of the Missouri ıver, at Plattsmouth, Nebr.

In the vicinity of Plattsmouth, the channel and bars of the Missouri River are sub-ct to more radical changes than they are at almost any other portion of its course. ıe Platte River, which here enters the larger stream, has its greatest flood, from 3 to feet, usually in April, while that of the Missouri occurs generally in June.

In consequence of this non-conformity, the point of junction of the two rivers dif-rs quite widely in different years, and even in the same year; the Platte, in freshet, reeps its way through the sand-bars deposited by the Missouri during its high water, id again has its mouth changed when the larger stream is in flood.

A small sketch of the vicinity, made during my examination in December, accom-ınies this report.

On the Plattsmouth side the river has worn away the banks where ten years ago as a considerable bottom up to the toe of the bluffs, while on the Iowa side the two vers, acting conjointly, have for a long time been, and are now, making deep in-ads into the rich farming alluvial lands.

Plattsmouth is the eastern terminus of the Burlington and Missouri River Railroad ı Nebraska, between which and the Iowa division of the Chicago, Burlington and uincy Railroad a large and increasing transfer-business is maintained.

In order to preserve our already-restricted depot and yard grounds, the Burlington ıd Missouri River Railroad Company was obliged to protect the Nebraska bank, and ıis they have quite successfully accomplished by a stone revetment extending for ver a mile from the end of their track northward. With the exception of a few ides, this revetment has stood well, most of it probably reaching to bed-rock, which ıtcrops in places in the bank.

On the Iowa side, however, the problem was more difficult; the rock is here about feet below the level of the bank, along which the channel generally ran with a elocity of from 4 to 5 miles per hour. The transfer-landing had to be constantly hanged, involving such expense that the Chicago, Burlington and Quincy Company esolved to build a landing which should be permanent. This resolution resulted in uilding a dike 850 feet long, inclining at an angle of about 45° with the perpen-icular to the former channel, at the end of which, in low water, the transfer-boats ave their landings.

The manner of constructing this dike was quite novel. Piles in two rows were riven at 12-foot distances, and spanned successively by girders, on which rails were aid, and stone and brush thrown from cars brought on them; cleats nailed to the ıles served as a temporary rest for the brush foundation, and stone was thrown on ıntil the cleats broke, and the foundation, guided by the piles, sank to place. The ike cost about $28,000. A large deposit of sand took place below the dike, while ıbove it the former channel has been nearly, if not quite, closed.

The dike has very materially narrowed the water-way, its former width of 1,200 feet aving been decreased to 700 feet, and in high stages the water, of course, runs over it,

but it has withstood successfully two break-ups of the ice, and, with the careful w
ing and repairs it received from the railroad company, there is no reason it should
last indefinitely.

On the Iowa side the bank immediately on the river is on a higher level than
in the interior, and is, besides, cut up by sloughs. In times of floods the water
its way into the farming-lands of the bottom, and its path is marked by a de
ing of the land of all vegetation, except such trees as can with stand the force of
current.

It is apprehended by some of the residents that, when the river cuts beyond
limits of the present high bank, at a stage a good deal lower than when it
now, the river will overflow the interior country. A small community of far
combining together, have built a levee some three miles long, shown on the sk
for their own protection. This levee has done good service, but with the present
of cutting, a few years will carry the river into it.

The neck of land between Pacific and Saint Mary's Bends is gradually becoming
rower, and a cut-off is imminent if the cutting continue, as there is no doubt it w
In consequence of the cut-off at Omaha, which occurred in July last, the cavi
the banks will be more rapid, and will hasten the cut-off at Plattsmouth, whi
allowed to occur, would be disastrous in the extreme to the railroad companies
farmers below its location. Should, however, the cut-off be prevented from ta
place, unless the upper side of the "point" be also protected, Plattsmouth w
time lose its river-frontage from the gradual recession of the bends and their a
panying bars down stream.

The river interests of Plattsmouth, outside of the railroad transfer, and
present. A wagon-ferry, as shown on the sketch, is maintained and
emigration to the Platte Valley.

In the absence of an instrumental survey, it is difficult to say what should be
in the way of improvement, and it is recommended that such a survey be made. T
shortest permissible survey would be about 25 miles long, and should cover
thoroughly the bottom-land on the Iowa side of the river; but as Plattsmouth is
about 28 miles below Omaha, and as the river between these points has a very
portant bearing on any work of improvement, it is recommended that the surv
should connect with the one recently made at Omaha.

The linear distance of the required survey is about 30 miles, and would cost $3,

Very respectfully, your obedient servant,

A. H. BLAISDELL,
Assistant Engine

Maj. CHARLES R. SUTER,
Corps of Engineers, United States Army.

EXAMINATION OF MISSOURI RIVER AT BROWNVILLE, NEBR.

UNITED STATES ENGINEER OFFICE,
Saint Louis, Mo., February 9, 1878.

GENERAL: I have the honor to transmit herewith a report of an ex
amination made at Brownville, Nebr., by Mr. A. H. Blaisdell, assistant
engineer. From this report it will be seen that Brownville is situated
at the foot of a sharp bend of the Missouri River, and the erosion of the
shore on the Missouri side is causing a recession of the bend down
stream, thereby threatening the filling up of the harbor. At the same
time the cutting of the Nebraska shore, in front of and below the town,
is causing the destruction of much valuable property. It is probable
that the only way to check these changes will be to directly protect the
caving banks.

The actual extent of such work needed cannot be decided until a reg
ular survey is made, though from present appearances Mr. Blaisdell es
mates the cost at $50,000. A survey to determine this point will
$1,600 as a minimum, but to satisfactorily study the problem it
be advisable to extend the survey so as to join the one already made
Nebraska City. The distance to be surveyed in this case would

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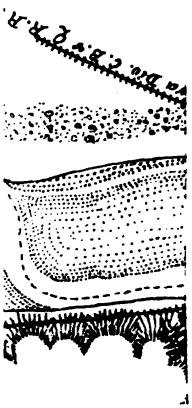

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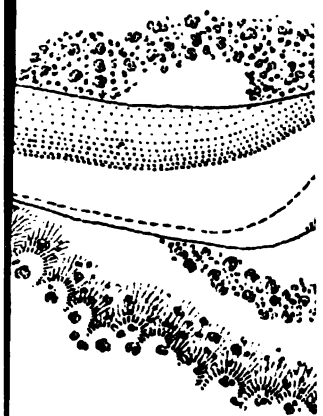

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miles, and the cost would be $3,000, which it is recommended should be appropriated for the purpose.

I am, general, very respectfully, your obedient servant,

CHAS. R. SUTER,
Major of Engineers.

Brig. Gen. A. A HUMPHREYS,
Chief of Engineers, United States Army.

REPORT OF MR. A. H. BLAISDELL, ASSISTANT ENGINEER.

UNITED STATES ENGINEER OFFICE,
Saint Louis, January 15, 1878.

MAJOR: I have the honor to present herewith a report of my recent examination of the Missouri River in the vicinity of Brownville, Nebr., with an accompanying sketch on a scale of one inch to the mile.

In the vicinity of Brownville, Nebr., the bluffs of the Missouri Valley lie about twelve miles apart. In Nebraska they are washed by the river or lie within short distance of it, and in Missouri the intervening alluvial bottom supports a well-settled farming community.

The soft alluvium of the Missouri side yields readily to the action of the current, and the results are the same as elsewhere in its course, frequent shiftings of the river-channel and a gradual movement of the bends down stream.

Brownville is one of the oldest towns of Nebraska, and has tributary to it an unusually well-developed and productive country. It is the nominal terminus of the Nebraska Railway, better known under its former name, Midland Pacific, which runs westward from Nebraska City. A railroad along the river-bank connects the two cities.

The greatest amount of caving of the banks has occurred within the past three years, during which time about 300 feet has been washed away at the foot of the main business street of Brownville. The railroad company has been compelled to move its depot-grounds, buildings, and road-bed, until now the track for nearly a mile northward lies close against the high bluffs, and the protection of the bank has become a necessity which can no longer be delayed.

A portion of the town is built on the bottom below Main street, and the encroachment of the river has compelled the removal of a number of the residences, but there still remain about twenty-five houses, a portion of which, as well as a fertile farming district below, is in danger, if the banks are allowed to continue cutting.

The greatest amount of caving occurs, however, on the Missouri side, in the bend opposite the city, and the "point" is fast moving down in front of the town. When this occurs the present situation at Nebraska City will be duplicated, the river-frontage of Brownville being entirely occupied by sand-bars. The inhabitants naturally desire to protect their landing, their transfer business being large and increasing. A survey would, in all probability, develop no other plan of improvement than a revetment of the caving bank, and it is very important if any such improvement is to be made that it be undertaken at once.

It is therefore recommended that a sum of money be appropriated which would allow works of protection to be prosecuted at the same time that a survey would be in progress, and to leave the final estimate of such work until the survey determines it.

At the very least, over a mile of bank must be protected, a preliminary estimate of cost of which is placed at $50,000.

The shortest permissible length of survey required is 16 miles, between Peru, Nebr., and Nemaha City, Nebr., which would cost $1,600; but it would be far preferable if we could connect with the survey already made at Nebraska City. This would increase the survey distance to 23 miles, and would cost $3,000.

Very respectfully, your obedient servant,

A. H. BLAISDELL,
Assistant Engineer.

Maj. CHAS. R. SUTER,
Corps of Engineers, United States Army.

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45TH CONGRESS, 2d Session. } SENATE. { EX. DOC. No. 31.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

COMMUNICATING,

In answer to a Senate resolution of February 6, 1878, information in relation to the present condition and state of efficiency of the life-saving service on the coast of North Carolina.

FEBRUARY 19, 1878.—Referred to the Committee on Commerce and ordered to be printed.

TREASURY DEPARTMENT,
February 18, 1878.

SIR: I have had the honor to receive the Senate resolution, dated the 6th instant, directing the Secretary of the Treasury to report the present condition and state of efficiency of the life-saving service on the coast of North Carolina, and in what respects, in his judgment, it needs increase or improvement in order to make it of the greatest benefit.

In reply, I have to state that, although the latest reports of the officers in charge of the life-saving service show that the stations on the coast of North Carolina are in excellent condition in respect to their personnel and equipment, the efficiency of the service on that coast is seriously obstructed by the great distance which separates the stations. In the entire sixth life-saving district, which comprises the coasts of Virginia and North Carolina, between Capes Henry and Hatteras, there are but ten life-saving stations. These are located upon one of the most dangerous of our coasts, at unequal distances, averaging over ten miles apart, in some instances the distances being twelve and sixteen miles. The patrol system of the life-saving service, under which the sea-coast from Maine to Hatteras is paced each night from dark until daylight, and in thick weather throughout the day during the active season, by surfmen on the alert for wrecks, constitutes one of the main reasons for the well-known and extraordinary success which has attended the efforts of the service since its reorganization in 1871.

On the long sandy stretches of coast extending from Cape Cod to Delaware, and which resemble the coasts of Virginia and North Carolina, the stations are within four or five miles of each other, and these spaces not being too great to be frequently traversed by patrolmen, a stranded vessel is soon discovered, the discovery being followed, of course, by prompt efforts for the deliverance of her imperiled crew. On the coast of the sixth district the formidable distances which divide the existing stations render the patrol system comparatively inapplicable, and although the laborious duty of patrolling these extended and deso-

late spaces is now faithfully performed, the length of time which must elapse before a given point, at which a wreck may in the meantime occur, is again passed by the patrolman, makes his labor to a great degree ineffectual. This is pointedly illustrated by the recent case of the Metropolis. The evidence in the possession of the department shows that this wreck occurred between stations 4 and 5 (which are about twelve miles apart) and at a spot four and one-half miles distant from the first-named station, the patrolman of which passed the station on his return beat at about five o'clock in the morning, or two hours before the vessel came on shore, being at that time far out of sight; while the next patrolman going that way, if he had left the station immediately upon the return of the other, which was about seven o'clock in the morning, without waiting, as he did, to breakfast with his comrades, could not possibly, in the soft condition of the beach, walking upon which was slow and toilsome, have come within sight of the wreck and return to the station to give the alarm until some time after the news was received there through a messenger sent on horseback by a resident of the beach, or until she had been aground more than three hours.

The instance of the Metropolis, beside illustrating the detriment to the patrol service wrought by the excessive distances apart of the stations on this coast, also shows that they injuriously affect the chances of a wreck being reached, with the necessary appliances, by the life-saving crews in time to accomplish a rescue, when the disaster takes place, as this did, at a point nearly midway between the stations. Ordinarily, it would have been the duty of the life-saving crew to have hauled the surf-boat or life-car, and other apparatus, complete, to the scene of the wreck—a serious task under any circumstances, when it is considered that these things, weighing about 1,700 pounds, have to be dragged by only seven men, in the impeding stress of a gale and through soft sand. But as the vessel was even then breaking up, owing to her unsound condition, it was judged expedient to hurry to the wreck with as little apparatus as could be made available. What was taken consisted of the mortar, ammunition, breeches-buoy, lines, and hawser, and weighed with the cart in which they were drawn, over 1,000 pounds. This heavy load, the very lightest that could be taken for service, had to be hauled by six men for four and one-half miles, over a beach in whose sands the feet of the men were imbedded deeply at every step, and the tires of their mortar cart, although five inches broad, sank four or five inches. The serious impediment such a road offered to their progress, and the misfortune of the distance laid upon them to travel at such a time, when men were drowning for want of succor, and which, of course, is referable to the undue spaces between the stations, need not be suggested further. These men, beside, were already worn by their long patrols of the night preceding.

During the previous twenty-four hours, one of them had walked thirty-two miles through the storm; another, twenty-four; two others, sixteen miles each; and the remaining two, twelve miles each. The burden they were dragging over the yielding sands gave more than 150 pounds to each man; 150 pounds over a firm level being the average allotted by standard authority as a man's draught-power. They contrived by the most strenuous endeavors to reach the wreck about noon, which they never could have done by that time but for the fortunate chance of their being overtaken when a mile or two on their way, and assisted by a man with a cart-horse. A further point, common to all such cases, is presented by this, namely, that these men, upon whose unwasted vigor much of the success of their service at the wreck depended, were

in some degree by their previous night's patroling, arrived at the scene of their toil, still further wearied by their severe march with their apparatus, to at once engage in still more exhausting exertions, which they continued for the remainder of the day, or until the last survivor was rescued.

The impediments which the great distances between the stations on this coast oppose to the efficiency of the patrol system, and to the prompt appearance of the station-crews abreast of a wreck, have been forcibly presented in the last report of the General Superintendent of the Life-Saving Service, and made the basis of a distinct forewarning of the catastrophe which has happened in the case of the Metropolis. In order, therefore, to meet the requirement of the Senate resolution for a report upon the means of increasing or improving the efficiency of the service upon the coast referred to, I would state that in my judgment the number of the stations in the sixth life-saving district should be increased sufficiently to bring them within an average distance of four or five miles of each other. This course would, it is believed, bring the service in this locality to the same degree of efficiency presented upon coasts where the stations are sufficiently contiguous to allow the patrols to seasonably discover wrecks, and the life-saving crews to promptly succor them, and where, during the same storms which destroyed the Huron and the Metropolis, the life-saving men brought ashore in safety the crews of all vessels stranded upon their beaches, being two in each instance. Beside the advantages already mentioned, as resulting from a proper contiguity of stations, it enables the crews of two or three of them to be speedily collected, on occasions of shipwreck, by means of the signals in use by the service, thus doubling or trebling the working party, as well as of readily multiplying, in case of need, the mechanical appliances by which rescues are effected.

In addition to increasing by intermediate stations the number of those existing on this coast, there should be at least three added between the southernmost station and Hatteras Inlet, and also a station at each of the prominent head lands below Cape Lookout and Cape Fear, localities liable to frequent marine disasters.

The last annual report of the General Superintendent of the Life-Saving Service contains, under the head of recommendations, several propositions calculated to promote the efficiency of this valuable establishment. Among these, as applicable to the service upon the coast referred to by the Senate resolution, as upon other coasts, I would invite attention to the proposition to increase the pay of the keepers of the life-saving stations. These men are charged with peculiar and important trusts, and it is frequently impossible to long retain or to procure persons of the proper qualifications for their responsibilities and duties at the pay of $200 per annum, which is all that is now allowed them. A proper increase of compensation should be provided, and, in my judgment, in addition to the duties now required of them, it would be well to clothe them with the powers of inspectors of customs. Patroling the beach as they do, they would form a very effective coast-guard for the prevention and detection of smuggling, and in case of a wreck they could take charge of dutiable goods, and secure the collection of the customs-duties, without interfering with the work of saving life and without expense to the government.

The life-saving crews should also be increased in number from six to eight persons. This would enable the arduous and often dangerous duty of the night patrol of the beaches to be performed with less exhaustion and peril to the men, and afford a greater degree of protection to wrecked

seafarers, and it would also obviously augment the working force at wrecks, while it would provide a complement sufficient to leave a man at each station to guard the public property, and to prepare for the reception and comfort of persons rescued from the sea, who are often in a condition to require immediate and careful attention.

Provision should also be made for the manning and opening of the stations from September 1 to May 1 of each year, so as to cover the period of equinoctial storms, and the inclement weather of autumn and spring, unless, indeed, it should be judged expedient to keep them manned and opened during the entire year.

The measures, then, which in the judgment of the Secretary are necessary to increase or improve the efficiency of the life-saving service on the coast of North Carolina, and to make the same of the greatest benefit, are: 1st. To augment the number of life-saving stations upon that coast, so as to bring them within an average distance of four or five miles of each other; 2d. To provide for five additional stations, to be located at suitable points between the southernmost station and Cape Fear; 3d. To raise the pay of the keepers of the stations to, say, the sum of $500 per annum, severally, and to confer upon these men the powers of inspectors of customs; 4th. To provide for the increase of the number of each life-saving crew from six to eight persons; and 5th. To provide for the manning and opening of the stations from September 1 to May 1 of each year, or for a longer period, if deemed expedient.

I have the honor to be, very respectfully,

JOHN SHERMAN,
Secretary.

Hon. WILLIAM A. WHEELER,
President of the Senate.

45TH CONGRESS, 2d Session. } SENATE. { Ex. Doc. No. 32.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

In answer to a Senate resolution of January 30, 1878, information in relation to a survey of lands in the Indian Territory.

FEBRUARY 21, 1878.—Read, ordered to lie on the table and be printed.

To the Senate of the United States:

In response to the resolution of the Senate of January 30, 1878, I transmit herewith a copy of a report, dated the 16th instant, from the Commissioner of Indian Affairs.

R. B. HAYES.

EXECUTIVE MANSION,
February 20, 1878.

DEPARTMENT OF THE INTERIOR,
Washington, February 19, 1878.

SIR: I have the honor to acknowledge the receipt, by your reference of the 2d instant, of the following resolution of the Senate, dated the 30th ultimo:

Resolved, That, if not compatible with the public interests, the President be, and he is hereby, requested to inform the Senate how many acres of land in the Indian Territory have been surveyed into sections and quarter-sections, for what purpose said survey has been made, and how much land remains in said Territory not surveyed.

Also, what amount of lands were owned by the several tribes of Indians previous to the treaties of 1866, and whether the Indian title to any of such lands has been extinguished since said treaties were made, and, if so, to what extent, and for what consideration.

In reply, I have the honor to transmit herewith copy of a report, dated the 16th instant, from the Commissioner of Indian Affairs, which furnishes the desired information.

The resolution of the Senate is herewith returned.

I have the honor to be, very respectfully, your obedient servant,

C. SCHURZ,
Secretary.

The PRESIDENT.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 16, 1878.

SIR: I have the honor to acknowledge the receipt, by reference fr the department, of a resolution adopted by the Senate of the Unit States, January 30, 1878, in the following words, to wit:

Resolved, That, if not incompatible with the public interests, the President be he is hereby, requested to inform the Senate how many acres of land in the In Territory have been surveyed into sections and quarter-sections, for what purpose s survey has been made, and how much land remains in said Territory not surveyed.

Also, what amount of lands were owned by the several tribes of Indians previo the treaties of 1866, and whether the Indian title to any of such lands has been tinguished since said treaties were made, and, if so, to what extent, and for what co sideration.

In compliance with the directions contained in your reference, I ha the honor to report that the following tracts of country in Indian Te ritory have been surveyed:

	Acre
Quapaw reservation	56,6
Peoria, &c., reservation	50,0
Modoc reservation	4,0
Shawnee reservation	13,0
Wyandotte reservation	21,4
Seneca reservation	51,9
Osage reservation	1,466,1
Kansas reservation	100,1
Pawnee reservation	283,0
Unoccupied Cherokee lands west of 96°, east of Pawnee reserve	105,4
Unoccupied Cherokee lands west of 96°, west of Pawnee reserve	6,239,1
Unoccupied Creek lands north of Cimarron River and west of Pawnee reserve	683,1
Sac and Fox reservation	479,0
Pottawatomie "30-mile square" tract	575,8
Chickasaw reservation	4,650,9
Kiowa and Comanche reservation	2,968,8
Wichita reservation	743,6
Cheyenne and Arapahoe reservation	4,297,7
Unoccupied Creek and Seminole ceded lands	1,645,8
Unoccupied Choctaw and Chickasaw leased lands	1,511,5
Total area surveyed	25,948,0

Of these the Sac and Fox reservation and the Pottawatomie "30 m square" tract, the Quapaw, Peoria, Modoc, Shawnee, Seneca, and Wy andotte reservations have been surveyed and subdivided into 40-ac tracts; the remainder into sections, as the public surveys are made.

The object of these surveys was the fulfillment of treaty stipulatio and to enable the department to ascertain the exact location, qual and quantity of these several tracts, with a view to the settlement friendly Indians upon the unoccupied lands, and to aid the var tribes of Indians already settled upon reservations in the adoption habits of civilized life and their permanent settlement upon indivi allotments or farms.

The following tracts remain unsurveyed:

	Acres.
ıe Cherokee reservation, estimated	5,031,351
ıe Creek reservation, estimated	3,215,495
ıe Choctaw reservation, estimated	6,688,000
ıe Ottawa reservation, estimated	14,860
ıe Seminole reservation, estimated	200,000
Total estimated area unsurveyed	15,149,706

Previous to the treaties of 1866—

	Acres.
he Quapaws owned	75,167
he Mixed Senecas and Shawnees	63,767
he Senecas of Sandusky	73,364
he Cherokees	13,172,235
he Creeks	6,998,808
he Seminoles	1,682,883
he Choctaws and Chickasaws	19,032,174
Total area of Indian territory	41,098,398

By the 4th article of the Omnibus treaty of February 23, 1867 (15 tat. at L., p. 514), the Quapaws ceded to the United States 18,482 acres f their lands, at the rate of $1.15 per acre, and the United States, by ıe 22d article of the same treaty, sold the same to the Peorias, &c., at ıe same rate, leaving a reservation of 56,685 acres to the Quapaws, hich they still hold.

By the 2d article of said treaty the Mixed Senecas and Shawnees eded to the United States the north half of their reserve, estimated to ontain 30,000 acres, for the sum of $24,000, which land, by the 22d rticle of the same treaty, was sold by the United States to the Peorias, c., at the same price. This tract, by survey, contains 31,819 acres, hich, with 18,482 acres of Quapaw lands, constitutes the present Peoria, c., reservation of 50,301 acres.

By the 3d article the Mixed Senecas and Shawnees ceded to the Jnited States that portion of their remaining lands west of Spring iver, supposed to contain 12,000 acres, at $1 per acre, which land, by he 16th article, was sold to the Ottawa Indians by the United States, t $1 per acre, and constitutes the present Ottawa reserve, and contains, y survey, 14,860 acres. Of the remainder of their lands, 17,088 acres, he Shawnees, by an agreement with the Modoc Indians, made June 3, 1874, and confirmed by Congress March 3, 1875 (18 Stat. at L., p. 47), sold to the United States 4,040 acres for $6,000 as a permanent eservation for the Modoc Indians, which is still held by them, leaving 3,048 acres, which the Shawnees hold and occupy as their reserve.

By the 1st article of same treaty, the Senecas of Sandusky ceded to he United States a strip of land on the north side of their reservation, ontaining 20,000 acres, for $20,000, which land, by the 13th article, the United States set apart as a future home for the Wyandottes. By the fourteenth article provision is made for the reimbursement to the United States of the cost of the land. This tract, the present Wyandotte reserve, contains 21,406 acres. The Senecas hold the remainder, 51,958 acres, as their present reservation.

The Cherokees, by the 16th article of the treaty of July 19, 1866 (14 Stat. at L., p. 799), ceded to the United States the authority to settle

friendly Indians on any part of their lands west of 96°. These lands (8,140,884 acres), when so occupied by friendly Indians, are to be paid for to the Cherokees, at such price, as may be agreed upon, as stipulated in said 16th article.

In accordance with this stipulation and an act of Congress approved June 5, 1872 (17 Stat. at L., p. 228), the Kansas and Osage tribes of Indians were settled upon the tract of country lying between the Arkansas River and 96°, the Kaws occupying a tract of 100,141 acres and the Osages a tract of 1,466,167 acres. The price paid for these two tracts was 70 cents per acre.

By the 4th section of an act of Congress approved April 10, 1872 (19 Stat. at L., p. 28), there was set apart, for the use and occupation of the Pawnee Indians, a tract of country comprising 230,014 acres, out of the lands named in the 16th article of said Cherokee treaty, the price not to exceed 70 cents per acre. The Pawnees have been in possession of this reserve for several years, but no payment has been made to the Cherokees. The lands were appraised last year by a commission appointed under the 5th section of an act of Congress approved May 29, 1872 (17 Stat. at L., p. 190), at an average valuation of 59.9 cents per acre. The remainder of the Cherokee lands west of 96° (6,344,[illegible] acres) is unoccupied, the United States not having as yet settled thereon any other tribes.

By the 3d article of the treaty concluded June 14, 1866 (14 Stat. at L., p. 786), the Creek Indians ceded to the United States, to be sold and used as homes for such other civilized Indians as the United States may choose to settle thereon, the west half of their entire domain, at 50 cents per acre. Of this cession there were sold to the Sac and Fox Indians, at the price paid the Creeks, 479,667 acres, and to the Seminoles, at 50 cents per acre, 200,000 acres.

There are included in the Pottawatomie "30-mile square" tract, 222,668 acres, from which, by an act of Congress approved May 23, 1872 (17 Stat. at L., p. 159), allotments were authorized to be made to the Pottawatomie citizen band, and the absentee Shawnee Indians, the cost thereof to the United States (viz, 30 cents) to be paid by said Indians. No money, however, has yet been paid, though a number of allotments have been made. Of the remainder, a portion is occupied by the Cheyenne and Arapahoe Indians, by authority from the President, dated August 10, 1869, and the remaining portion is unoccupied.

By the 3d article of the treaty of March 2, 1866 (14 Stat. at L., p. 755), the Seminoles ceded to the United States their entire domain at 15 cents per acre, being the land ceded by the Creeks for the Seminoles in the treaty of August 7, 1856 (11 Stat. at L., p. 699). Of this cession, 353,209 acres are included in the Pottawatomie "30-mile square" tract for the settlement of the Pottawatomie citizen band of the absentee Shawnee Indians, as recited in the Creek cession. Of the remainder, a portion is occupied by Cheyennes and Arapahoes, by authority from the President, dated August 10, 1869, and the balance is unoccupied by any tribe.

By the 9th article of the treaty of June 22, 1855 (11 Stat. at L., p. 611), the Choctaws and Chickasaws leased to the United States all their lands west of 98°, viz, 7,713,239 acres, for the permanent settlement of the Wichita and other Indians, the United States paying therefor the sum of $800,000, and by the 1st article of the treaty of April 28, 1866 (14 Stat. at L., p. 769), in consideration of the sum of $300,000, the Choctaw and Chickasaw Indians ceded all of the lands west of 98° named in the

treaty of June 22, 1855, and known as the "leased lands," to the United States.

By the 2d article of the treaty of October 21, 1867 (15 Stat. at L., p. 582), the United States set apart out of these leased lands a tract of country containing 2,968,893 acres as a permanent home for the Kiowa and Comanche Indians, the consideration therefor being a relinquishment of all their right to occupy permanently the territory outside of this tract, including their old reservation, as defined in the treaty of 1865. By an unratified agreement, made October 19, 1872, the Wichitas were assigned another tract of country out of these leased lands, embracing an area of 743,610 acres. The Cheyenne and Arapahoe Indians, by authority from the President, dated August 10, 1869, occupy 2,489,160 acres, and the remainder of these leased lands (1,511,576 acres) are unoccupied by any tribes.

The resolution of the Senate is herewith respectfully returned.

I have the honor to be, sir, very respectfully, your obedient servant,

E. A. HAYT,
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

45TH CONGRESS, 2d Session. } SENATE. { EX. DOC. No. 33.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

In answer to a Senate resolution of December 7, 1877, information in relation to the cost of the late war with the Sioux Indians.

FEBRUARY 21, 1878.—Read, ordered to lie on the table, and be printed.

To the Senate of the United States:

In answer to the resolution of the Senate, dated December 7, 1877, I transmit herewith reports from the General of the Army, the Quartermaster-General, the Commissary-General of Subsistence, and the Chief of Ordnance, showing "what has been the cost" (estimated) "of the late war with the Sioux Indians, and what the casualties of rank and file among the soldiers engaged in said Sioux war."

R. B. HAYES.

EXECUTIVE MANSION, *February* 20, 1878.

WAR DEPARTMENT,
Washington City, February 18, 1878.

SIR: I have the honor to return the resolution of the Senate, dated December 7, 1877, with reports from the General of the Army, the Quartermaster-General, the Commissary-General of Subsistence, and the Chief of Ordnance, showing "what has been the cost" (estimated) "of the late war with the Sioux Indians, and what the casualties of rank and file among the soldiers engaged in said Sioux war."

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The PRESIDENT.

HEADQUARTERS OF THE ARMY,
Washington, December 14, 1877.

Respectfully returned to the Secretary of War, inclosing statement of casualties among the rank and file of the troops engaged in the late war with the Sioux, prepared by the Adjutant-General of the Army.

I am unable to answer that part of the resolution which relates to the cost of the war, but which no doubt can be obtained from the supply departments of the Army.

W. T. SHERMAN,
General.

Respectfully referred to the Quartermaster-General and Commissary-General for report as early as practicable.

By order of the Secretary of War.

H. T. CROSBY,
Chief Clerk.

WAR DEPARTMENT, *December* 14, 1877.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., February 18, 1878.

SIR: In reply to your instructions of the 14th December last, indorsed on the letter of the President of the United States, dated 7th December, 1877, transmitting the resolution of the United States Senate calling for information as to the cost of the war with the Sioux Indians, I have the honor to report, that I at length learn by telegraph from Colonel Holabird, chief quartermaster Division of the Missouri, that General Terry, commanding the Department of Dakota, estimates the cost of the Sioux war in that department at $992,808, of which $846,17[illegible] pertains to the Quartermaster's Department. That General Crook, commanding the Department of the Platte, estimates the cost of the same war in the Department of the Platte at $1,319,720, of which sum $1,048,182 pertains to the Quartermaster's Department. Total estimated cost of the Sioux war, therefore, is $2,312,531, of which $1,894,31[illegible] are charges against the appropriations of the Quartermaster's Department.

I am, very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster-General U. S. Army.

The Hon. SECRETARY OF WAR.

WAR DEPARTMENT,
OFFICE COMMISSARY-GENERAL OF SUBSISTENCE,
Washington, D. C., December 28, 1877.

SIR: In compliance with your indorsement dated December 14, 1877, referring to this office the Senate resolution passed December 7, 1877, I have the honor to submit herewith a report of the estimated cost to the Subsistence Department of the Sioux war of 1876–'77.

Very respectfully, your obedient servant,

R. MACFEELY,
Commissary-General Subsistence.

The Hon. SECRETARY OF WAR.

Statement showing the estimated cost to the Subsistence Department of the United States Army of the Sioux war of 1876–'77.

Value of subsistence stores lost	$17,486 12
Excess of cost of subsistence stores purchased in the Black Hills over cost of the same stores if supplied from depots	6,311 86
Total	23,797 98

R. MACFEELY,
Commissary-General Subsistence.

WAR DEPARTMENT,
Office Commissary-General Subsistence, December 28, 1877.

Statement of casualties among rank and file, United States Army, during the late war with Sioux Indians, commencing in February, 1876.

Organization.	Killed.			Wounded.		
	Commissioned officers.	Enlisted men.	Total.	Commissioned officers.	Enlisted men.	Total.
Medical department	1		1			
Second Cavalry		1	1		4	4
Third Cavalry		10	10	2	27	29
Fourth Cavalry	1	6	7		19	19
Fifth Cavalry		2	2		7	7
Seventh Cavalry	14	242	256		53	53
Fourth Infantry					3	3
Fifth Infantry		2	2		5	5
Sixth Infantry		1	1		1	1
Seventeenth Infantry					1	1
Twenty-second Infantry		1	1		2	2
Indian scouts		2	2		1	1
Totals	16	267	283	2	123	125

Aggregate killed and wounded, 408.

E. D. TOWNSEND,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., December 11, 1877.

QUARTERMASTER-GENERAL'S OFFICE,
December 14, 1877.

Noted and respectfully forwarded to the Commissary-General United States Army.

M. C. MEIGS,
Quartermaster-General U. S. A.

WAR DEPARTMENT,
OFFICE COMMISSARY-GENERAL SUBSISTENCE,
December 19, 1877.

Noted and respectfully returned to the Hon. Secretary of War.

R. MACFEELY,
Commissary-General Subsistence.

WAR DEPARTMENT, *December* 20, 1877.

Respectfully referred to the Chief of Ordnance for report as early as practicable.

By order of the Secretary of War.

H. T. CROSBY,
Chief Clerk.

ORDNANCE OFFICE, WAR DEPARTMENT,
Washington, January 14, 1878.

Respectfully returned to the Secretary of War.

The records of this office show that the value of the ordnance stores expended in action, lost on the battle-field, abandoned and destroyed for want of transportation, &c., in the campaign against hostile Sioux Indians, amounts to $70,466.23.

S. V. BENÉT,
Brigadier-General, Chief of Ordnance.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

In answer to a Senate resolution of December 7, 1877, further information in relation to the cost of the Sioux war.

MARCH 26, 1878.—Read, ordered to lie on the table, and be printed.

To the Senate of the United States:

In further answer to the resolution of the Senate of December 7, 1877, as to the cost of the Sioux war, I transmit herewith copies of additional reports on the subject received from the Military Division of the Missouri.

R. B. HAYES.

EXECUTIVE MANSION, *March* 25, 1878.

WAR DEPARTMENT,
Washington City, March 22, 1878.

SIR: In connection with my letter of the 15th ultimo, submitting, in compliance with the resolution of the Senate dated December 7, 1877, reports as to the cost of the Sioux war, I have the honor to inclose copy of additional reports on the subject received from the Military Division of the Missouri.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The PRESIDENT.

[Telegram.]

ADJUTANT-GENERAL'S OFFICE,
Washington, December 18, 1877.

Lieut. Gen. P. H. SHERIDAN,
Commanding Division Missouri,
Chicago, Ill.:

The Secretary of War desires to have an approximate estimate of the cost of the late Sioux war, to enable him to answer a resolution of Congress.

E. D. TOWNSEND,
Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE PLATTE,
Omaha, Nebr., January 18, 1878.

SIR: I have the honor to acknowledge the receipt of your telegram of December 19, 1877, and in reply to say that the approximate cost of the late Sioux war, so far as connected with the Department of the Platte, and as near as can be at this time estimated, amounts to $1,319,723.46.

Very respectfully, your obedient servant,

GEORGE CROOK,
Brigadier-General, Commanding.

To the ASSISTANT ADJUTANT-GENERAL, U. S. A.,
Headquarters Military Division of the Missouri, Chicago, Ill.

HEADQUARTERS DEPARTMENT OF DAKOTA,
Saint Paul, Minn., February 14, 1878.

SIR: In obedience to the telegraphic instructions of the Lieutenant-General, dated December 19, 1877, I have the honor to forward herewith an approximate estimate of the cost of the late Sioux war, so far as concerns the Department of Dakota, with the subreports upon which the approximate estimate is based.

I am, sir, very respectfully, your obedient servant,

ALFRED H. TERRY,
Brigadier-General, Commanding.

To the ASSISTANT ADJUTANT-GENERAL,
Headquarters Military Division of the Missouri, Chicago, Ill.

Approximate estimate of the cost of the late Sioux war to the Department of Dakota.

On what account.	Amount.
Quartermaster's department	$846,179 [illegible]
Subsistence department	35,72[illegible]
Medical department	33,000 [illegible]
Ordnance department	75,000 [illegible]
Miscellaneous (telegrams)	2,900 [illegible]
Total	992,807 [illegible]

ALFRED H. TERRY,
Brigadier-General.

QUARTERMASTER'S OFFICE,
Saint Paul, Minn., December 26, 1877.

SIR: In compliance with your instructions of the 10th instant, I have the honor to submit herewith an approximate estimate of the cost of the late Sioux war in 1876–'77 to the Quartermaster's Department, as follows, viz:

Transportation of troops and supplies by steamer, including the hire of such vessels	$174,585 41
Transportation of troops and supplies by rail	260,000 [illegible]
Transportation of supplies by wagon, including hire of teams	195,399 [illegible]
Material for the repair of means of transportation	434 [illegible]
Hire of teamsters, packers, &c	47,561 [illegible]
Ferriage of troops and supplies	2,654 [illegible]
Hire of guides, scouts, special couriers, &c	16,952 [illegible]
Purchase of grain	70,367 [illegible]
Purchase of hay	100 00

Pay of extra-duty men	549 50
Purchase of buffalo overcoats	5,412 64
Purchase of mules	20,900 00
Purchase of horses	49,866 29
Purchase of camp-kettles	40 00
Purchase of tent-stoves	55 00
Pay of clerks	800 00
	$846,179 28

A considerable sum must have been paid in Chicago for transportation of troops and supplies by steamers, during the summer of 1876, of which no record has been made in the office of the department quartermaster.

No estimate is made of depreciation of property by wear and tear during the war, because no satisfactory calculation of the amount can not be made.

No account is taken of the loss of public animals, except as they were replaced by purchase, nor of other supplies forwarded to the troops, except as they were purchased in excess of the ordinary allowances or rations of the troops.

Very respectfully, your obedient servant,

BENJ. C. CARD,
Quartermaster, U. S. A.

The ADJUTANT-GENERAL,
Department of Dakota, Saint Paul, Minn.

HEADQUARTERS DEPARTMENT OF DAKOTA,
OFFICE CHIEF COMMISSARY OF SUBSISTENCE,
Saint Paul, Minn., December 28, 1877.

SIR: In reply to indorsement of December 20, 1877, from your office, on copy of telegram from Lieutenant-General Sheridan, of December 19th, instant, I have the honor to furnish the inclosed report. This contains all the information on the subject which I have been able to glean from my files, and it is, I suppose, incomplete. In order that the information required might be complete, all officers performing subsistence duty in this military department should be required to forward, with the papers enumerated in paragraph 2 of General Orders No. 12, headquarters Department of Dakota, February 12, 1870, a copy of each abstract of issues made in the month; and when the purchases, invoices, and transfers of stores are too numerous to be entered on the face of the returns of provisions, an abstract of each should accompany the return. At present the required information can be furnished complete only from the records of the office of the Commissary-General of Subsistence, United States Army, Washington.

Respectfully, your obedient servant,

M. R. MORGAN,
Major and Commissary Subsistence, Chief Commissary Subsistence.

The ADJUTANT-GENERAL,
Department of Dakota, Saint Paul, Minn.

Approximate estimate of the cost to the Subsistence Department in the Department of Dakota of the late Sioux war.

For subsistence stores issued to civilians employed with expeditions in the field, and to Indians, and for losses during the campaign	$31,734 [illegible]
For hire of citizen herders, and for extra-duty pay to enlisted men in the subsistence department with troops in the field	3,993 [illegible]
	35,72[illegible]

M. R. MORGAN,
Major and Commissary Subsistence,
Chief Commissary Subsistence Department of Dakota.

OFFICE CHIEF COMMISSARY SUBSISTENCE, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., December 28, 1877.

HEADQUARTERS DEPARTMENT OF DAKOTA,
MEDICAL DIRECTOR'S OFFICE,
Saint Paul, Minn., December 26, 1877.

SIR: I have the honor to report that I have made an approximate estimate of the expenses of the medical department during the Sioux war in 1876 and 1877, in excess of the requirements of the service in time of peace, viz:

For additional medical officers, hospital stewards, cooks, and nurses	$25,000 [illegible]
For additional medical supplies for new posts and field service	8,000 [illegible]
	33,000 [illegible]

As I do not disburse public funds, I have not the exact data for a more correct estimate, but believe the above amount will cover the expenses referred to.

Very respectfully, your obedient servant,

WM. J. SLOAN,
Surgeon, U. S. A., Medical Director.

To the ASSISTANT ADJUTANT-GENERAL,
Department of Dakota.

HEADQUARTERS DEPARTMENT OF DAKOTA,
OFFICE CHIEF ORDNANCE OFFICER.
Saint Paul, Minn., February 13, 1878.

SIR: In compliance with the instructions of the department commander, I have the honor to submit the following estimate of the cost of the Sioux war of 1876–'77.

The Ordnance Office, under a resolution of the United States Senate, has prepared a tabulated statement of losses, compiled from returns on file, chargeable to the Sioux war, from which it appears that about fifty thousand dollars should be credited to this department. I think that this estimate is too small, for it does not take into account losses that are not yet settled, the property being still borne on the returns. From a careful consideration of the amount of property furnished and that now on hand, I am of opinion that $75,000 will not more than cover the losses of the Ordnance Department, directly traceable to the Sioux campaign, in this command.

Very respectfully, your obedient servant,

O. E. MICHAELIS,
Captain of Ordnance, Chief Ordnance Officer.

To the ADJUTANT-GENERAL,
Department of Dakota.

[Memorandum.]

HEADQUARTERS DEPARTMENT OF DAKOTA,
Saint Paul, Minn., January 19, 1878.

Amount paid for telegrams received at and sent from the offices of the commanding *eneral and adjut*ant-General, Department of Dakota, in relation to the Sioux war of 1876-77 (*approxi*mate), $2,900.

GEO. D. RUGGLES,
Assistant Adjutant-General.

[Indorsements.]

*HEA*DQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, February 26, 1878.

Respectfully forwarded to the Adjutant-General of the Army.
In the absence of the Lieutenant-General, commanding.

R. C. DRUM,
Assistant Adjutant-General.

HEADQUARTERS OF THE ARMY,
Washington, March 6, 1878.

Respectfully submitted to the Secretary of War. The inclosed reports, called for in accordance with Senate resolution of December 7, 1877, give the cost of the late Sioux war, as follows:

Department of the Platte	$1,319,723 46
Department of Dakota	992,807 78
Total, Division of the Missouri, approximate	2,312,531 24

W. T. SHERMAN,
General.

C

LETTER

FROM

THE SECRETARY OF WAR,

COMMUNICATING,

In answer to a Senate resolution of January 31, 1878, *information in relation to the improvement of the Providence River and Narraganset Bay, Rhode Island.*

FEBRUARY 27, 1878.—Referred to the Committee on Commerce and ordered to be printed.

WAR DEPARTMENT,
Washington City, February 26, 1878.

The Secretary of War has the honor to transmit to the United States Senate, in compliance with the resolution of the Senate of the 31st ultimo, report of Maj. G. K. Warren, Corps of Engineers, on the improvement of Providence River and Narraganset Bay, Rhode Island, with letter of Chief of Engineers submitting the same.

GEO. W. MCCRARY,
Secretary of War.

The PRESIDENT PRO TEMPORE
of the United States Senate.

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., February 25, 1878.

SIR: I beg leave respectfully to return herewith the resolution of the Senate of the United States of the 31st January last, "that the Secretary of War be directed to furnish to the Senate any information in his department relative to the improvement of Providence River and Narraganset Bay, with an estimate of the cost of such improvement," and, in obedience to its requirements, to submit the inclosed copy of a report on the subject from Maj. G. K. Warren, Corps of Engineers, to whom it was referred. This report is very full, and conveys all the information contemplated by the resolution.

It will be seen that the improvement which, in the opinion of the harbor-commissioners of the State of Rhode Island, is demanded by the interests of commerce, consists in making a channel of 23 feet in depth at mean low water from Providence to the sea, and they estimate that the whole amount of dredging required for this purpose will be about 3,501,640 cubic yards, at a cost of $500,234.29. In this estimate no allowance for rock-excavation is made, though it will in all probability be in some places required.

The order in which the work of improvement should be executed is, in Major Warren's opinion, first, to make the deep channel for ocean-steamers from Providence to the sea; then to proceed with the work of widening the channel, &c.

The cost of this deep channel he estimates at $100,000, and deems it to be in the interest of economy to appropriate the whole sum at once.

I concur in Major Warren's views.

Very respectfully, your obedient servant,

A. A. HUMPHREYS,
Brigadier-General and Chief of Engineers.

Hon. GEO. W. MCCRARY,
Secretary of War.

IMPROVEMENT OF PROVIDENCE RIVER AND NARRAGANSET BAY, RHODE ISLAND.

ENGINEER OFFICE, UNITED STATES ARMY,
Newport, R. I., February 18, 1878.

GENERAL: I have the honor to submit the following report in obedience to your letter of instructions, of February 2, transmitting a copy of the resolution of the United States Senate made on January 31, and also in obedience to your letter of February 7, transmitting a resolution of the United States House of Representatives, passed on February 4, both in regard to the improvement of Providence Harbor, Rhode Island, and the channels of approach to it.

The House resolution requires a report "based on examinations and surveys made by the Coast Survey or other departments of the government," which as far as I know are as follows:

In the year 1872, under an act of Congress, I made a survey from Fox Point to Field's Point (see Annual Report of Chief of Engineers for 1873, page 969), and estimated the cost of dredging off the point of Long Bed, for which $10,000 was appropriated, and the point dredged off in the summer of 1873.

In 1874 the United States Coast Survey made a new survey which also covered this portion of the harbor, and a copy of the map was furnished the Rhode Island board of harbor-commissioners, which copy I have consulted. There is as close agreement in the results of the two surveys as could be expected, so that, as a basis for an estimate of quantity of material to be removed in this part, nothing more is desired. There is some uncertainty as to the amount of rock that may be encountered, but this cannot be definitely determined except as the dredging is being carried on.

During the past summer, upon application of the governor of Rhode Island, the President of the United States appointed Rear-Admiral Daniel Ammen, chief of the Bureau of Navigation, United States Navy, Prof. Henry Mitchell, United States Coast Survey, and myself, members of an advisory council to the board of harbor-commissioners of Rhode Island, and this council had several meetings with the harbor-commissioners to consider the improvement of Providence River and Harbor. The harbor proper is taken to comprise the part between Fox Point and Field's Point, a distance of about 8,800 feet. Through about 2,800 feet of this there is ample channel-depth. Through the other 6,000 feet the depth, in places, shoals to 14 and 15 feet, and at the upper end to 12 feet.

t mean low water. This limits the size of the vessels that can reach he present wharves. The mean rise of the tide is about 4½ feet. In egard to the improvement of this portion the advisory council give the ollowing opinion to the harbor-commissioners:

In a port like Providence, employed for miscellaneous commerce, the greatest good o the greatest number is to be secured by a channel of 18 feet depth at low tide. In rder, however, not to exclude vessels of greater draught, we recommend that the chanel should have a central pathway of 23 feet depth, 150 feet wide.

The form of channel that would meet these requirements and have the most permaent slopes, would have the following widths, naturally, between its contours in light lluvium:

23 feet depth, 150 feet wide.
20 feet depth, 600 feet wide.
18 feet depth, 725 feet wide.
12 feet depth, 940 feet wide.
6 feet depth, 1,060 feet wide.

We recommend that this channel should be carried from the city to Field's Point, ollowing generally the present channel below Fox Point; and using the above table as guide as far as possible for computing the amount of material to be removed (and ot as a convenient plan of dredging), we find from the original hydrographic sheet of he Coast Survey (1326 A), executed in 1874, that the necessary dredging would then ave been two and one-quarter millions of cubic yards, bank-measurement.

The average length of vessels likely to seek this harbor, if improved, may be set lown at 150 feet, and these, with average draught of 18 feet, would require 54 feet of able, giving their radius of swing room 202 feet. These vessels anchored most carefully on both sides of the channel proposed, would leave 321 feet gangway for the passage of other vessels. If anchored with only the ordinary care (but still under supervision of a harbor-master) the width of the gangway would sometimes not exceed 150 feet. It is assumed that so few vessels of extraordinary draught would be in port at the same time that the harbor-master could so arrange them as to avoid having any two of them in the same section. It is proper to regard the vessels as lying transversely to the direction of the channel, because during the season when the largest fleet visits this port winds from the west-southwest and southwest prevail.

In providing for anchorage-room on either side of the gangway rather than excavating a special basin for anchorage, it has been borne in mind that the whole channel in the absence of vessels at anchor will be useful for the passage of vessels under sail, and that this channel traversed by tidal currents will be less likely to freeze up than a sheltered basin, or more easily broken out when frozen.

* * * * * * *

The harbor-commissioners have also made an estimate of the amount of material to be removed to make a channel 23 feet deep at mean low water, and 400 feet wide, with an additional width each side of 200 feet, gradually shoaling up to a depth of 10 feet at mean low water. The amount is 1,421,720 cubic yards. But in their communication to me dated February 8, transmitted herewith, they adopt the plan and estimate of the advisory council.

In order to secure the depth of 23 feet at mean low water below Field's Point, dredging must be done at Pawtuxet Shoal and at Gaspee Shoal.

The harbor-commissioners' estimate for the amount to be removed at these two places, is upon the design to make the channel 23 feet deep and 400 feet wide and 200 feet each side, shoaling up to 10 feet.

At Pawtuxet Shoal, cubic yards	733,686
At Gaspee Shoal, cubic yards	46,000

In order to allow vessels to enter and leave Providence direct by the western entrance to Narraganset Bay, drawing 23 feet at mean low water, another shoal must be removed just above Rocky Point, which the harbor-commissioners estimate to amount to 424,824 cubic yards. Vessels using the middle entrance to Narraganset Bay, would not have to pass this shoal near Rocky Point. The foregoing quantities are bank-measurements; measured in scows, the quantity would be increased by one-third.

To recapitulate, we have now the following estimates of quantities:

ESTIMATE OF ADVISORY COUNCIL.

Fox Point to Field's Point, cubic yards, bank-measurement	2,250,000
Fox Point to Field's Point, cubic yards, measurement in scow	3,000,000
Cost	$425,571

ESTIMATES OF HARBOR-COMMISSIONERS.

Fox Point to Field's Point, cubic yards	1,421,79[illegible]
Pawtuxet Shoal, cubic yards	733,6[illegible]
Gaspee Shoal, cubic yards	46,0[illegible]
Rocky Point, cubic yards	424,[illegible]
Total bank-measurement	2,626,2[illegible]
Total measurement in scow	3,501,64[illegible]
Cost	$500,234 [illegible]

No rock is included in the foregoing estimates, and although some will undoubtedly have to be removed, as, for instance, Bulkhead Rock, this is comparatively a small item. This improvement, when made, will be permanent.

The improvement desired will, at present prices, cost about $500,000. The importance of doing this is so well set forth in the accompanying communication made to me by the board of harbor-commissioners that I have nothing to add on this point.

The first improvement to be undertaken is to make the deep channel for ocean-steamers, from Providence to the sea, and let the widening for anchorage and for a beating-channel for sailing-vessels follow. For making such a channel 200 feet wide and 23 feet deep at mean low water I have estimated would require:

From Fox Point to Field's Point, 434,000 cubic yards, measured in scows.	
At Pawtuxet and Gaspee Shoal 175,000 cubic yards, measured in scows.	
609,000 cubic yards, measured in scows.	
At $1 for 7 yards, this would cost	$87,000
Add for removal of rocks and superintendence	13,000
	100,000

To cut through the shoal near Rocky Point 200 feet wide and 23 feet deep at mean low water would require the removal of 300,000 cubic yards, measured in the scows, and inasmuch as this shoal can be avoided by using the middle entrance to the bay, it is not an important obstruction. It now has a ruling depth of 18 feet at mean low water.

All the estimates below Field's Point are based solely upon the United States Coast Survey charts, on one of which, sent herewith, the proposed channel is marked.

If the revenue of the government will allow such an expenditure in one year it would be best to appropriate the sum of $100,000 in one year, so that the benefit may be at once obtained.

Providence is in the Providence collection district and is a port of entry. The revenue from customs, during the fiscal year ending June 30, 1876, was $182,352.57.

The United States in former years has expended about $56,500 on improvement of this harbor.

Very respectfully,

G. K. WARREN.
Major of Engineers, Brevet Major-General, U. S. A.

Brig. Gen. A. A. HUMPHREYS,
Chief of Engineers U. S. A.

COMMUNICATION FROM THE STATE BOARD OF HARBOR-COMMISSIONERS.

SIR: We have received from you a communication, inclosing a resolution of the House of Representatives, of which the following are copies:

"ENGINEER OFFICE, UNITED STATES ARMY,
"*Newport, R. I., February* 8, 1878.

"*SIR:* I have just received the resolution of the House of Representatives of which the inclosed is a copy. The subject has been referred to me by the Chief of Engineers, United States Army, for report, with directions to confer with parties representing the interests involved. The matter, you know, has already been considered by us, so that its points are familiar. I wish, therefore, you would forward to me such report from your honorable board as will represent the question in the light you regard it, to aid me in making my report, and to be transmitted with it to the Chief of Engineers. In its regular course it will probably be transmitted to Congress and printed for the use of the members in passing upon the subject itself.

"Yours, respectfully,

"G. K. WARREN,
"*Major Engineers, Bvt. Maj. Gen., U. S. A.*

"Mr. J. HERBERT SHEDD,
"*Civil Engineer, President Rhode Island Harbor Commission,*
"*Providence, R. I.*"

"IN THE HOUSE OF REPRESENTATIVES,
"*February* 5, 1878.

"On motion of Mr. EAMES,

"*Resolved*, That the Secretary of War be, and he is hereby, directed to communicate to this House, as soon as practicable, what improvements, if any, are demanded by the interests of commerce for the improvement of navigation to the port of Providence, Rhode Island, based on examinations and surveys already made by the Coast Survey or other departments of the government, together with the estimated cost of such improvements."

In response to your request we respectfully submit the following:

The improvement of the navigation of this port for which we ask, and which we consider to be urgently demanded by the interests and for the safety of commerce, would be accomplished—

First. By widening and deepening the main channel from Fox Point, above and east of which (on the Providence and Seekonk Rivers) are our present wharves, to Field's Point, which is at the entrance to the inner harbor from Narragansett Bay. The distance between the two points by the thread of the channel is about 1½ nautical miles. There is deep water at both the upper and lower ends of this distance, but in the middle a bar exists having at points only 14 feet depth of water at low tide. A channel suited to this position should be about 1,060 feet in width between its outer banks, 150 feet of which width, in the center should be 23 feet in depth at low water and then of decreasing depths on each side to the outer banks, where this depth should be 6 feet at low water. This form of channel would meet all the requirements of the case. It would afford good anchorage-ground on each side of the central pathway, leaving a free course for the maneuvering or passage of vessels under sail.

Second. Below Field's Point within the bay, a continuous channel should be secured at least 800 feet in width, with a central pathway 23 feet in depth. This part of the work would necessitate the deepening of the natural channel at three points, to wit, opposite Rocky Point; about half the distance between Gaspee Point and the Pawtuxet beacon; and opposite the village of Pawtuxet. The channel should also be widened between a point nearly opposite Pawtuxet village and Field's Point. We should then have an unobstructed passage-way from the open sea to our docks for such heavy-draught foreign and coastwise vessels, and for such numbers of all draughts as would certainly seek our harbor if so improved.

As the streams emptying into the harbor are not of such size or character as to bring down any considerable amount of silt, it is quite probable that if the channel is once properly improved only a small annual outlay will be required to preserve its condition.

The estimated volume of material to be removed between Fox Point and Field's Point to secure the desired channel is about 2,250,000 cubic yards, measured in bank. For the work in the bay, the amount would be about 1,204,510 cubic yards.

As will hereafter appear by the contract prices for similar work for the city, there are few or no harbors where dredging can be more cheaply done; and as the proposed improvement consists mainly of that kind of work, it follows that at comparatively small cost the chief obstacle to our advancement in commercial prosperity may be

removed. We feel assured that the contemplated dredging can be done at the rate of 7 cubic yards for $1. If this work is done a continuous channel of about 30 miles in length, of 23 feet depth of water, from the sea to this port, may be secured.

The city of Providence has peculiar advantages of location as an importing and exporting center. Its outer harbor is Narragansett Bay, through one of the two unobstructed passages to which it can be entered by the largest vessels that float, in any wind, at any time, without a pilot; and it is never obstructed by ice to prevent making a good harbor. It is completely land-locked, and has about 70 square miles of anchorage, where the entire shipping of all the ports of the United States could ride out any storm in safety.

The harbor proper of the city of Providence is an interior basin at the head of the bay, having an area of about 700 acres, with a channel leading up to the wharves. This channel is obstructed by a bar having only 14 feet depth in places at low-water as already stated.

The city of Providence is the second in size in New England, and the sixteenth in the United States. It now contains a population of about 100,000, having made a very rapid growth in the last ten years. It is the most northerly important terminus of safe and convenient navigation from Southern ports, lying as it does about 30 miles into the interior of New England, and having direct railroad communication with all parts of those States and the Canadas, and, by tapping the roads leading West, with the grain-producing States.

It is the radiating center of supplies of raw material, as also the market, for an immense aggregate of manufacturing industries located immediately around it, and mainly developed and sustained by the water-power of three streams. The leading manufactures are cotton and woolen goods, machinery, arms, &c., in which there are about $50,000,000 invested capital.

Of print-cloths there were reported sold here in 1877, a year of great depression in business, and therefore not a fair showing, 2,742,330 pieces.

The average annual sales during the previous ten years amounted to 4,614,733 pieces.

The total reported receipts of cotton in this market, by all routes, during the year 1877 were 234,532 bales, which is 18,746 bales less than the average during the previous six years.

The total reported receipts of wool of all grades, by all routes, during the year were 65,333 bales and sacks, the average during the previous six years being 93,983 bales and sacks per annum.

By the last census of Rhode Island it appears that our bleacheries and print-works consumed about 6,000 tons of supplies of foreign growth or manufacture; but there was difficulty in obtaining the facts, and the general belief is that these figures should be largely increased.

Providence is also the chief coal-port of New England. The total reported tonnage of coal during the year 1877 was 642,480 tons, of which 4,960 tons were foreign. The average per annum during the previous six years was 580,587 tons, the foreign average being 5,768 tons.

The total reported receipts of flour during 1877 were 324,539 barrels, which is 38,437 barrels more than the average annual receipts of the previous six years.

This, therefore, to the extent of our present transportation facilities, is an important receiving and distributing point for direct importations and productions for export. For coastwise traffic it is already the leading port in New England; and, with our harbor so improved that ocean-steamers and coastwise vessels of the heaviest draught could reach our wharves, we should have unsurpassed facilities for becoming a commercial, as we already are a manufacturing center.

More coastwise vessels now enter this bay and port than any other port in New England. Some of these of large draught of water, like the Philadelphia, Norfolk and Baltimore (freight) steamers, are at times compelled to wait hours for the tide to enable them to cross the bar and reach the inner harbor.

Many others are effectually barred from entering the port at all on account of the insufficient depth of water in some parts of the channel, the inconvenient and expensive result of which is that a considerable part of the freight consigned to our merchants and manufacturers, besides that which would naturally come to this port in transit to interior points, must first be delivered in New York or Boston and then reshipped by rail to this port. One of the onerous features of this process is that the port-charges elsewhere are about twice as much as they are here, and this is one considerable item which counts with ship-owners in favor of this as a port of entry.

A pressing need of our present commerce is more anchorage-room, already large to allow the channel to be kept free for the passage of vessels. As many as seventy to seventy-five vessels have come into the harbor in an afternoon, for all of which, with those already at anchor, there is not sufficient room. The result is a frequent blockading of the channel against the safe passage of vessels in and out of the harbor. Regular lines of passenger and freight steamers run daily between this and other ports, and in their passage through the channel much delay and danger sometimes

result from the encroachments of anchored vessels lapping out over their course. The trouble is increased during the summer months when excursion-steamers loaded with passengers are passing in and out almost hourly.

The State does not ask that its maratime facilities shall be developed entirely at the expense of the United States Government. Its appreciation of the importance of preserving and improving the advantages it already possesses is shown by the expenditures which have been made to that end. The government of the city of Providence annually appropriates from $10,000 to $15,000 for the improvement of the harbor. A large amount of dredging has already been done in and about the upper part of the channel with the money thus appropriated, and sums paid by individuals; and new there is much more water in the harbor proper and around the docks than on the bars below.

During the last eight years $89,380.10 have been expended by the city for dredging alone, and for surveys, plats, &c., $2,474 more. This work has been done under very favorable conditions, the contract for last year for dredging about 168,000 cubicy ards having been made at 9 cents per cubic yard.

The amount appropriated by the city for the current year is $15,000, and a contract for the dredging has been executed at 13 cents per cubic yard, requiring the material to be carried over trestle-work to fill flats belonging to the city.

The city has also nearly completed the removal at a cost of $60,000 of about 260,000 cubic yards of mud from the Cove Basin, so called, at the head of Providence River.

The chairman of the harbor committee of the city council has submitted a statement relative to the city's operations in the harbor, of which the following is a copy:

"PROVIDENCE, *January* 22, 1878.

"SIR: In reply to yours of the 10th instant, I would say that for many years the city has expended considerable sums upon dredging in the harbor, as will appear in the inclosed tabular statement.

"Our citizens and our city government fully realize the imperative necessity of increasing our harbor facilities, and a judicious and comprehensive plan for harbor improvement will assuredly receive cordial support.

"If only work could be done in the river and bay, below the point where the city could be asked to expend money, we might hope that our harbor, would receive and our wharves accommodate the largest vessels.

"The following statement of money paid and work done on the harbor since 1870, is submitted and made a part of this communication.

For the year ending October 1—	Salary of harbor-commissioners.	Services for superintendence, &c.	Surveys, plats, &c.	Amount paid for dredging.
1870				
1871	$1,100 00	$763 00	.....	$16,583 10
1872	1,100 00	321 00	.....	9,532 81
1873	1,150 00	.....	.....	9,940 56
1874	1,300 00	.....	.....	5,621 13
1875	1,300 00	.....	$2,000 00	14,828 21
1876	1,300 00	.....	.....	10,016 28
1877	1,633 33	.....	.....	11,495 79
	1,800 00	535 00	474 00	11,362 22
	10,683 33	1,619 00	2,474 00	89,380 10

"In 1876 the appropriation for dredging the harbor was $11,500. The contract for dredging was given to S. A. Hammond, at 13 cents per cubic yard.

"In 1877 the appropriatiion was $12,500. The contract for dredging was awarded to Providence Dredging Company, at 9 cents per cubic yard.

"For 1878 the appropriation is $15,000, and contract for dredging awarded to Thomas Potter, at 13 cents per cubic yard.

"These low prices have been obtained notwithstanding the fact that there has been extra trouble to the contractor in disposing of the material. Last year about half the mud was towed 16 miles to a dumping-ground, and for the year to come the price includes the cost of transferring the material by cars, on trestle-work, to ground too high to be reached in scows. This is required in order to develop wharf-property.

"Very respectfully, yours,

"ARTHUR T. DEXTER,
"*Chairman, for Committee on the Harbor.*

"J. HERBERT SHEDD, Esq.,
"*Chairman of the State Board of Harbor-Commissioners.*"

We submit a copy of resolution passed by the Providence Board of Trade:

"The following preamble and resolutions were read and unanimously adopted at the annual meeting of the Providence Board of Trade, of the city of Providence, R. I., held January 9, 1878:

"Whereas this city is situated at the head of Providence River, affording a broad safe, and natural approach to a point about 30 miles inland, from which a large portion of the New England States may be conveniently reached; and

"Whereas much shipping is prevented from coming to this port on account of the shoal channels leading to the harbor, notwithstanding our city government has already expended considerable sums of money in widening and deepening the channels of the harbor: Therefore,

"*Resolved*, That in the opinion of this board it is desirable and necessary that steps be taken to procure aid from the United States Government to enable the improvements to be made, so that the natural facilities of this harbor may be properly developed and increased.

"*Resolved*, That the president of this board be, and he is hereby, appointed a committee to confer with the State board of harbor-commissioners, and is requested to co-operate with said board in urging upon the United States Government the importance of the work and procuring the necessary aid therefor.

"PROVIDENCE, *January* 29, 1878.

"I hereby certify the foregoing to be a true copy and record.

"F. P. LITTLE,
"*Secretary.*"

The board of trade adopted another resolution, as follows:

"*Resolved*, That the president of this board be authorized to appoint a committee to ascertain the amount of foreign and domestic goods annually brought into this district."

The committee made the following report:

"Your committee were notified of their appointment on the 23d ultimo; they were called together immediately, and have held several meetings to consider the business confided to them.

"The difficulties in the way of obtaining such information as is desired are many. The want of time precludes the possibility of issuing circulars to our merchants and manufacturers requesting such information as would enable us to estimate accurately the amount of material required in their business, and had the time been sufficient the reluctance of many of our manufacturers to give such information would have rendered a report thus obtained inaccurate.

"The last census of Rhode Island, taken under the charge of a most faithful and efficient superintendent, gives the capital employed in manufactures (that is, value of real estate and machinery) as $49,942,871; of raw material used, $76,715,970; of products, $126,659,875. Under the head of special manufactures, we find that there were reported to have been used in print-works and bleacheries about 6,000 tons of material of foreign growth or manufacture. From information received from other sources the last item is believed to be much too small, and the same discrepancy may exist in other figures.

"So far we have spoken only of supplies required in our manufactories; there is no possible means of obtaining an account of supplies required for all other branches of industry, and for a population of 258,239 persons.

"Were it possible to obtain ever so correct an account of the wants of the people of our own city and State, we should still be far short of the information of which we are in search.

"Providence Harbor is the natural source of supply and the natural outlet for all of the country lying east of the Connecticut River, north to the Canada border and west of Boston; in fact coming from the South, Providence is nearer by steam by twenty-four hours than the harbor of Boston, and when we consider the dangerous navigation around Cape Cod, we are led to believe that with sufficient depth of water in our bay and harbor, the Boston lines from the South would find it for their advantage to make Providence the terminus of their voyage, and transfer by rail such parts of their cargoes as may be destined for Boston.

"With a view to estimating the number of tons of merchandise that is annually going to and from and through this city we have requested from our several railroad companies, and from the New York, Philadelphia, and Norfolk lines of steamers an account of the number of tons of merchandise transported by them during the past year.

"The tonnage on the railroads is given in total, as there is no means of ascertaining how much may go from point to point on the roads, without touching this city; but when we consider that in this statement there is no account taken of the amount carried by the smaller lines of steamboats, by sailing-vessels, and by teams, we may not form a very inaccurate idea of the business of this port, even in dull times, and when the bars

n our bay prevent us from receiving a very large part of the business that the position of our city would otherwise give us.

"The accounts received from the railroads and steamboats are as follows:

	Tons.
Providence and Springfield	37,987
Providence, Warren and Bristol	47,036
Providence, Hartford and Fishkill	296,681
Providence and Stonington	226,945
Boston and Providence	631,850
Providence and Worcester	641,135
Vinsor Line to Philadelphia	48,254
Providence, Norfolk and Baltimore	105,600
Providence and Stonington Steamship Company (boat direct)	375,000
Total tons	2,410,488

"The records of the custom-house show that during the past year there have been 123 foreign and 5,520 domestic arrivals; that the value of imports was $466,868; that there were brought by water 201,699 bales of cotton, 37,745 bales of wool, 60,362 barrels of flour, 685,336 bushels of grain, and 642,480 tons of coal.

"It is estimated by competent authority that the wholesale-grocery business of this city amounts to $11,000,000 per annum, and that of this amount $7,300,000 is in goods of foreign growth. The trade in drugs and chemicals, which is very largely in merchandise of foreign growth or manufacture, is estimated at about $5,000,000 per annum.

"The domestic importations of Providence by railroad and by water for 1877, are given as follows: 234,532 bales of cotton; 324,539 barrels of flour; 1,549,096 bushels of corn; 586,905 bushels of oats; 642,480 tons of coal.

"Respectfully submitted.

"JAMES SHAW, JR.
"GEORGE W. WHITFORD.
"BENJAMIN W. PARSONS."

As illustrating the delays resulting from the shallowness of water on the bar, we insert the following copy of a letter received from the agent of one of our principal steamship lines:

"PROVIDENCE, NORFOLK & BALTIMORE STEAMSHIP LINE,
"*Providence, R. I., February* 14, 1878.

"DEAR SIR: I beg and desire to call your attention to the fact that in the year 1873 the Merchants and Miners' Transportation Company of Baltimore, Md., inaugurated a line of steamships between Baltimore, Norfolk, and Providence, and styled it the 'Providence, Norfolk and Baltimore Steamship Line.' Since this line was set in motion, owing to the great draught of water of our steamers, we have met with very serious delays on account of the depth of water in our harbor. The steamers of this line, when full-freighted, draw 18 and 20 feet of water, and have touched bottom in midway of channel and dragged the bottom for long distances; and when we have had strong northwest winds we experience very much more delay. If our steamers arrive on an ebbing tide of two or three hours' duration and ground, they are obliged to so remain until the full flood-tide makes again, causing the loss of valuable time, from six to eight hours, which is exceedingly annoying to our patrons and ourselves. I will here state that the Merchants and Miners' Transportation Company also run a line of steamers between Baltimore, Norfolk and Boston, via Cape Cod, and I have often advocated to them of their making the terminus of the Boston steamers at Providence, and connect with Boston by railroad; but our company has always contended that it was not practicable to do so with their largest steamers, on account of the shallowness of the water in our harbor, but have intimated to me that if harbor facilities were such at Providence that no delays would occur on account of depth of water, and the steamers could arrive and depart at any time of tide, that ultimately the terminus of the Boston line would be established at Providence. This line is an important one for the city of Providence, running, as it does, direct to the South, connecting at Norfolk, Va., with the Virginia and Tennessee Air-Line and Seaboard and Roanoke Railroads for all points south, and at Baltimore (Locust Point), Md., with the great Baltimore and Ohio Railroad for all points west, north, and southwest.

"I trust that some special action will be taken by the State this present year to improve the navigable waters of our beautiful Narragansett.

"Very respectfully, yours,

"E. H. ROCKWELL,
"*Agent Providence, Norfolk and Baltimore Steamship Line.*

"J. HERBERT SHEDD, Esq.,
"*Chairman of the Harbor-Commissioners.*"

The following tabular statement has been furnished to us by General Shaw, collector of this port:

Commercial statistics of Providence, 1871 *to* 1877.

	1871.	1872.	1873.	1874.	1875.	1876.	1877.
Foreign arrivals	205	182	175	170	91	90	[illegible]
Value of imports (dollars) *	652, 281	780, 616	818, 393	412, 698	552, 768	208, 454	468, [illegible]
Coastwise arrivals	5, 808	6, 542	6, 952	4, 665	6, 373	5, 326	[illegible]
Bringing—							
Bales of cotton	182, 598	198, 325	299, 364	254, 235	178, 446	218, 987	[illegible]
Bales of wool	55, 137	43, 540	149, 561	47, 278	37, 691	38, 904	[illegible]
Barrels of flour	145, 375	131, 713	171, 048	261, 920	161, 486	88, 682	[illegible]
Bushels of grain	751, 553	886, 058	876, 617	942, 290	812, 009	716, 830	[illegible]
Tons of coal	548, 669	699, 188	709, 784	600, 386	691, 847	610, 359	[illegible]
TONNAGE.							
Vessels	92	85	129	123	128	131	[illegible]
Tons	21, 090	19, 115	22, 489	25, 977	34, 107	35, 107	[illegible]

* Foreign value in gold.

JAMES SHAW, Jr.,
Collector.

All of which is respectfully submitted.

J. HERBERT SHEDD,
N. F. POTTER,
JEDEDIAH WILLIAMS,
Harbor-Commissioners.

General G. K. WARREN,
Major of Engineers, U. S. A.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

In answer to a Senate resolution of February 20, 1878, information in relation to the disease prevailing among swine and other domestic animals.

FEBRUARY 28, 1878.—Read, ordered to lie on the table, and be printed.

To the Senate of the United States:

I transmit herewith, for the information of the Senate, the reply of the Commissioner of Agriculture to a resolution of the Senate, of the 20th instant, "relative to the disease prevailing among swine," &c.

R. B. HAYES.

EXECUTIVE MANSION, *February* 27, 1878.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., February 26, 1878.

SIR: In compliance with a resolution of the Senate, adopted on the 20th instant, calling upon me for such information as may be in my possession relative to the disease prevailing among swine, commonly known as "hog cholera," with such suggestions as I may deem pertinent in this connection, I have the honor to herewith transmit a large number of letters, from almost every section of the country, relating to this and the many diseases to which all other classes of domestic animals are subject. For some years past the local press, and especially the agricultural journals of the country, have been calling attention to the increase of diseases among farm-stock, and the consequent heavy losses annually sustained by our farmers and stock breeders and growers. I regarded the subject as one of such vast importance to the productive industries of our country, as to demand the immediate attention of this department, and early in the month of August last I caused the following letter to be addressed to each member of the House of Representatives:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., August, 1877.

SIR: This department is desirous of making a thorough investigation into the causes of the many diseases now, and for some years past, prevailing with such fatal effect among the farm animals of this country. In order that this work may be facilitated, and the department put in possession of information that will enable it to form a correct understanding of the extent, nature, and character of these diseases, and of the remedies indicated therefor, I would thank you for the names and post-office address of some of the more prominent stock and poultry breeders and dealers of your district, and also the address of respectable veterinary surgeons, who have had experience in

this direction. These names should include those of persons residing in localities where diseases of a general and local character prevail, either among horses, cattle, sheep, hogs, or poultry.

I remain yours, very respectfully,

WM. G. LE DUC,
Commissioner.

In compliance with the request contained in the foregoing letter, the department was promptly placed in possession of the names of a large number of prominent farmers, stock growers, and veterinary surgeons in the various Congressional districts of the country, to whom the following circular letter was addressed:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., August, 1877.

SIR: This department being desirous of making an investigation into the causes of diseases now, and for some years past, prevailing among all classes of farm animals, desires your assistance and co-operation in the proper consideration and determination of a subject of such great importance to the stock breeders and growers of this country. With the view of saving millions of dollars annually by the timely use of such remedies and preventives as are now known or may be discovered by this investigation, the Department desires as speedily as possible to be put in possession of such facts as may have come under your observation in relation to diseases affecting horses, cattle, sheep, hogs, and fowls, either in your own neighborhood or in adjacent localities. Have the kindness to give as complete a diagnosis of the disease as possible, stating the duration of the attack, its average fatality, what remedies, if any, are used, and with what success. In localities where diseases prevail among more than one class of animals, separate statements should be made under the name of the animals affected.

This information will be laid before Congress as the basis of securing an appropriation to meet the expenses of a thorough investigation of diseases of all classes of farm animals.

Very respectfully, &c.,

WM. G. LE DUC,
Commissioner.

The responses to this circular indicated such heavy losses, among swine, from the various fatal diseases affecting this class of animals, that I at once determined to secure, so far as the facilities within my reach would permit, as accurate returns as possible from the various States and Territories of the Union the number of hogs annually raised, what proportion of those suffer from disease, and what proportion of those affected die, the aggregate value of the annual losses among this class of animals, and also the aggregate value of annual losses among all other classes of domestic animals from the various diseases to which they are incident. In order to secure this information a copy of the following letter was addressed to one correspondent in each county of the United States:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., December 21, 1877.

SIR: This department desires to obtain reliable information in regard to the losses of swine by cholera and all other diseases incident to this class of farm animals. We would, therefore, thank you for early and definite answers to the following questions:

1. What number of hogs are annually raised in your county?
2. What proportion of hogs suffer from disease?
3. What proportion of those attacked by disease die?
4. What is the money-value annually lost by disease among swine in your county?
5. What is the money-value of all other classes of farm animals annually lost by disease in your county?

Very respectfully,

WM. G. LE DUC,
Commissioner.

Out of two thousand four hundred and forty-seven counties (the number composing all the States and Territories of the United States), returns from one thousand one hundred and twenty-five counties have been received. These returns are still coming in slowly, and will, perhaps, not be fully reported for some weeks to come. The data, so far received, have been condensed into the following tabular statement:

Statement showing the number of swine annually raised in the United States, the number lost by various diseases and the value of such losses; also the value of all other classes of domesticated animals annually lost by disease.

Names of States and Territories.	Total number of counties.	Number of counties reported.	Number of hogs raised annually in State.	Number affected with various diseases.	Proportion of those attacked that die.	Money-value of losses.	Money-value of annual losses of all other classes of domestic animals.	Total value of annual losses of all classes of domestic animals.
Alabama	66	23	253,250	51,110	.5877+	$88,740	$184,550	$273,290
Arizona Territory	6	2	1,850	.....	.....	.....	.....	.....
Arkansas	74	23	251,176	62,333	.6750	142,095	79,400	221,495
California	52	15	173,339	3,110	.6057+	8,175	58,490	66,665
Colorado	29	9	10,635	.....	.....	.....	23,300	23,300
Connecticut	8	7	74,748	1,220	.6611+	10,974	49,870	60,844
Dakota Territory	43	8	17,500	150	.4375	625	8,898	9,523
Delaware	3	2	20,000	1,000	.7166+	4,500	8,000	12,500
Florida	39	16	95,909	18,550	.6096+	45,605	75,840	121,445
Georgia	137	69	472,631	62,473	.5878+	228,496	300,155	528,651
Idaho Territory	10	.....	.....	.....	.....	.....	.....	.....
Illinois	102	65	2,406,449	491,203	.6763	1,703,327	593,737	2,297,064
Indiana	92	49	1,384,032	326,488	.7248+	1,446,798	502,700	1,949,498
Indian Territory	*9	*1	.....	.....	.....	.....	.....	.....
Iowa	99	70	2,055,899	221,158	.6375	1,884,175	440,165	2,324,340
Kansas	84	39	689,296	70,340	.5259+	217,165	208,290	425,455
Kentucky	116	30	581,681	118,163	.6842+	412,403	301,487	713,890
Louisiana	58	16	206,542	12,620	.5250	33,483	52,700	86,183
Maine	16	11	46,767	730	.4528+	4,750	47,532	52,282
Maryland	23	14	202,972	13,595	.6583+	55,170	120,525	175,695
Massachusetts	14	3	27,600	370	.3900	2,620	5,850	8,470
Michigan	77	43	401,127	11,013	.4911+	49,560	319,625	369,185
Minnesota	76	38	200,426	2,245	.5758+	7,985	100,207	108,192
Mississippi	75	34	310,304	43,015	.6395+	112,416	366,665	479,081
Missouri	114	63	2,144,084	437,776	.6692+	1,351,265	419,264	1,770,929
Montana Territory	10	3	3,300	25	.....	.....	1,000	1,000
Nebraska	65	25	234,294	31,160	.6525	128,925	82,269	211,194
Nevada	14	1	1,000	150	.9000	1,300	4,300	5,600
New Hampshire	10	4	12,771	275	.4233+	2,200	34,100	36,300
New Jersey	21	3	11,000	240	.8500	2,170	16,720	18,890
New Mexico Territory	13	3	26,000	1,240	.7000	2,500	17,000	19,500
New York	60	26	270,786	10,387	.3901+	32,210	165,934	198,144
North Carolina	94	47	634,048	140,724	.5880+	424,825	190,544	599,369
Ohio	88	60	1,687,788	24,890	.5960+	503,338	334,608	837,946
Oregon	23	8	28,345	.....	.....	235	15,500	15,735
Pennsylvania	66	39	635,387	22,871	.5916+	112,999	155,000	267,999
Rhode Island	5	2	11,848	30	.7500	300	.....	300
South Carolina	32	15	133,891	22,915	.6058+	60,100	64,300	124,400
Tennessee	94	49	907,606	175,941	.6248+	489,515	311,550	801,065
Texas	154	40	597,310	91,979	.5147+	235,969	417,631	653,600
Utah Territory	20	7	17,690	65	.4166	360	23,350	23,710
Vermont	14	10	63,591	3,029	.5237+	19,035	42,850	61,885
Virginia	99	60	713,275	59,868	.5104+	168,174	217,544	385,728
Washington Territory	24	1	2,600	30	.2000	50	1,000	1,050
West Virginia	54	31	294,533	35,439	.6128+	66,490	65,500	131,990
Wisconsin	60	39	671,995	9,622	.5668+	26,461	137,995	164,456
Wyoming Territory	5	2	67	.....	.....	.....	.....	.....
Total	2,447	1,125	18,987,342	2,599,542	.5889+	10,091,483	6,561,945	16,653,428

* Nations.

While I do not vouch for the accuracy of these returns, they are, perhaps, as reliable as can be procured, except by a systematic census of each county. In but few cases are the returns based upon the estimate of any one individual. In most cases these correspondents are conversant with the agricultural interests of the counties in which they reside, and in making up their returns they did so only after consultation with their neighbors and with the officers of agricultural societies and local granges, where such associations exist.

Our wide extent of country and its great diversity of temperature and variation of climate, the severity of frosts in some sections and the

intensity of heat in other localities, render farm-stock liable to the attacks and ravages of almost every disease known in the history of domestic animals. So general and fatal have many of these maladies grown that stock breeding and rearing has, to some extent, become a precarious calling instead of the profitable business of former years. This would seem to be especially true as it relates to swine. Year by year new diseases, heretofore unknown in our country, make their appearance among this class of farm-animals, while older ones become permanently localized and much more fatal in their results. Farmers, as a general thing, are neglectful of their stock, and pay but little attention to sporadic cases of sickness among their flocks and herds. It is only when diseases become general, and consequently of an epidemic and contagious character, that active measures are taken for the relief of the animals afflicted. It is then generally too late, as remedies have ceased to have their usual beneficial effects, and the disease is only stayed when it has no more victims to prey upon.

This interest is too great to be longer neglected by the general government. Not only the health of its citizens, but one of the greatest sources of our wealth, demands that it should furnish the means for a most searching and thorough investigation into the causes of all diseases affecting live stock.

While a large number of the diseases to which farm-animals are subject are familiar to skilled veterinary surgeons, it should be borne in mind that but few sections of the country are blessed with professors in this science, as reference to the letters herewith transmitted will abundantly show. In most cases the stock-breeder himself assumes the important functions and responsibilities of the surgeon, and without the least knowledge of veterinary science he proceeds to diagnose the disease and dose the animal with a drug of which he is ignorant, or of the effects of which he is unable to judge until the animal has passed beyond the hope of recovery. Where such is the practice it is not strange that nine cases out of ten prove fatal.

It may be urged that works on veterinary surgery describe most of the diseases to which farm-animals are subject, and point out the best known remedies for the same. Admit this, and yet the desired relief is not afforded thereby. These works are expensive and but few farmers can afford to purchase them; a still less number possess the qualifications necessary to comprehend them. What would then seem the wisest policy is that which may result from an investigation of the character proposed, and the results disseminated gratuitously through means of cheap annual reports from this department. By such means farmers and stock-breeders would soon become familiar with the general symptoms of the more prevalent diseases, and also be enabled to apply intelligently such remedies as science has or may point out.

Some very interesting investigations in this matter have been commenced, and are now being prosecuted with such vigor as is possible with the very insufficient appropriation that can be devoted to the purpose.

The correspondence herewith transmitted contains information which, if heeded by the farmers and stock-growers of the country, will result in a better sanitary condition, and a consequent diminution of disease among all classes of domesticated animals.

I have the honor to remain, very respectfully, your obedient servant,

WM. G. LE DUC,
Commissioner.

The PRESIDENT OF THE UNITED STATES.

DISEASES OF FARM-ANIMALS.

The following letters relating to the diseases of farm-animals have been received by the Commissioner of Agriculture:

Mr. JOHN BROOKS, of Princeton, Mass., writes as follows:

I last year raised fifteen Hereford steer calves. I bought twenty, and out of this number lost five by a disease called "blind staggers." I think eight or ten of them in all were affected; and I lost five before I discovered the nature of the disease and found a remedy. I do not know but there is a better remedy than the one I used. The calves, when first attacked, would not take nourishment, but held their heads up and walked around the pen until they were exhausted, and then, in about two or three days, would lie down and die. I lost five in that way. Four I saved in the following manner: I turned new milk down them three times a day—two quarts at a dose. I mixed about one half pint of castor-oil with the first dose every other morning. I kept this up about six days, when they again commenced to take nourishment. They appeared weak for about eight days after they commenced improving. They lost flesh, but not to any great extent, and seemed to winter as well as those that had not been sick.

The calves were constipated, and I gave the oil to remove this difficulty. I can define no reason for this sickness. I have lost calves for a number of years in the same way, but now think, if taken in season, they can be cured by the above remedy.

THEODORE S. VERY, veterinary surgeon, vice-president of the United States Veterinary Association, writes as follows from Boston, Mass.:

I regret that I cannot, from experience, relate facts about the contagious diseases of cattle, sheep, hogs, and fowls. Having resided always in this city, somewhat remote from farming and stock-raising districts, my practice has included for the greater part only the treatment of the diseases of the horse. Of these there are not a few concerning which a large amount of practical good would arise from a more thorough and positive establishment of the causes leading to their development and propagation.

The epizootic influenza of the fall of 1872, caused an immense aggregate loss by death, by loss of services while animals were sick, and in depreciation in values where the effects of the disease lessened the vitality of horses for a long time subsequent to its first attack. Possibly a thorough search for its causes might prevent a similar general outbreak, and inquiries having such an end in view should receive the attention, the support, and encouragement of the general government.

The disease known as the cerebro-spinal-meningitis occurs as an epidemic among horses, and is caused by a peculiar poison affecting the system in a specific manner, producing like symptoms—differing, of course, in degree—in all cases. Nothing is known concerning the exact nature of this poison, any more than of some others producing disease in a similar way. It causes great losses to horse-owners in seasons when it prevails, and has occurred extensively in certain localities, at different periods, for the past five years.

Glanders in horses—a most contagious, deadly, and incurable disease—has been quite prevalent in Boston and vicinity during the past five years. The poisonous particles of the disease are seldom entirely removed from stalls and stables where horses having the disease have lived. In my opinion this malady might, under certain conditions, become quite general. If it should, the danger therefrom would be incalculable. Stringent State laws should insist upon killing every animal so affected, and provide for the unmistakable removal of every trace of the disease from stalls and stables where it has existed, under the supervision of some qualified person.

A number of other diseases of the horse, the prevention of which is possible and of great importance to the public welfare, continue to exist.

Mr. F. M. HENDERSON, Leesburg, Loudoun County, Virginia, says:

Some six years ago Mr. J. T. Steadman, of this place, had a flock of fine fowls very much affected by chicken cholera, so called. I advised corn burnt on the cob thrown to them, and it acted immediately with wonderfully good effects. He not only lost no more fowls, but the disease soon disappeared.

I am told that hogs kept in pens and liberally supplied with charcoal very rarely have any disease, and I would certainly prefer the charcoal in the shape of burnt corn and cob, as being softer and possessing some real nutriment.

Mr. R. A. STEELE, Lawrence, Kans., says:

In reply to inquiries in regard to diseases among farm-animals in this neighborhood, I would say that the most serious is a disease among hogs, commonly known as "hog cholera." In October, 1876, I had on hand seventy-five hogs, averaging 115 pounds per head, for the purpose of feeding with or following cattle. They were mostly of the Berkshire breed, and seemed in fine condition. The feed and water were good. In December they commenced coughing, and soon after dying, until I lost over half the number. I finally turned them out in a corn-field which contained some wet ground, in which they spent most of the time rooting. The disease was arrested, and no more of them died. They visited some of my neighbors' hogs, but did not convey the disease to them. I examined several of those that died, and came to the conclusion that the lungs were affected.

I found the same disease existing among hogs throughout the country. I do not regard it as the same disease of which so many hogs died in 1873 and 1874. I think they were affected with worms.

My opinion is that hogs are forced, and fed, and bred too young—a mushroom growth. As a remedy, we should use matured sows and males for breeding, and allow them to run in pastures. They should not be fed and fattened until a year or eighteen months old. To insure healthy meat and do credit to the hog product, such a system must be adopted.

Cattle as a rule, are healthy, but there is some complaint among calves. Those in good condition in the fall seem to be liable to the attack of a disease known as "black leg." My remedy has been a preventive (I have never cured one), as follows: Salt well, with a small quantity of saltpeter.

Mr. M. B. HINE, Austerlitz, Kent County, Michigan, says:

This portion of Michigan has thus far been comparatively exempt from any prevailing disease among our domestic animals, with the exception of epizootic among horses during the fall and winter of 1872–73, which was here attended with but little loss by the death of the animals themselves, but the produce of the mares then in foal proved to be weak and debilitated. Since that time there has been considerable distemper occurring annually not unlike the epizootic, but quite mild in form, which readily yields to an outward application of some counter-irritant on the glands, at the same time keeping the bowels relaxed by feeding bran mashes, meanwhile working light.

Last spring there was a general fatality among the young pigs, and in some instances with the autumn pigs in the latter part of the winter, there being no apparent sickness discovered prior to their death. At least such was the case in this immediate vicinity; but I noticed that this all disappeared as soon as the hogs were turned out to grass. The conclusion I arrived at is, we must furnish a greater variety of food for our hogs during our long winters, particularly of roots and vegetables, instead of feeding all corn, as is usually the practice with most western farmers.

ROBERT VANVOORHIS, importer and breeder of thoroughbred American merino sheep, Monongahela City, Pa., says:

I have been a breeder of American merino sheep for over thirty years. For six years or more the sheep of this vicinity have been afflicted with a disease commonly known as "paper skin." It has proved very fatal, especially to young sheep, thousands having died annually. It is more prevalent and more fatal to young sheep in August, about the time of weaning. Sheep of my own breeding have never been affected by the disease; but I have lost a great many lambs that I had purchased of others. Those attacked, if they did not die the first fall, were sure to do so the next season. I bought twenty-five ram lambs, which I took extra good care of the first year. Though they did not thrive as well as those of my own breeding, I had hopes that they would escape the disease. Last July I noticed that they began to show symptoms of the malady, and, having a large flock of yearlings, I took out those affected and gave them extra good care. I commenced to feed sulphur and copperas to them, but without any perceptible effect. After five had died I doubled the dose, giving a tablespoonful of pulverized copperas every other day; but this did not seem to stay the ravages of the disease. I continued this until I had but five left. The dung of those that died last was white with worms, which were from one to four inches in length. After my entire flock of twenty-five had died, I thought if I had commenced with a heavy dose as soon as the first symptoms were observed, I might have saved some of the lambs. In order, therefore, to test the remedy further, I informed some of my neighbors, who gave it a thorough trial, but without success.

I was recently in the eastern part of Ohio, where I found the sheep affected with the same disease. It seems to be as fatal there as it is here. I am in receipt of a letter from Col. J. W. Watts, of Martin's Depot, S. C., who informs me that he has

lost a great many sheep from the same disease. I last November visited Vermont, where I also found the same disease prevailing to an alarming extent. The diseased sheep do not lose flesh. They seem to lose blood, however, for in a short time their skin becomes perfectly white. Their eyes also become white, the ears droop, and they are apparently much exhausted. They drink water freely, eat salt, gnaw at boards, and take up whole mouthfuls of dirt, but eat neither grass nor hay. They seem full and in good condition up to the time of their death. When opened no blood is found in their veins, but the stomach and intestines are full of worms, which have collected in bunches or knots.

Various remedies have been tried here, but without any perceptible effect. If the disease is not soon checked many large dealers and breeders will lose entire flocks of valuable animals.

Hon. HARRIS LEWIS, Frankfort, N. Y., says:

In reply to your favor of the 31st ultimo, I would say that this county (Herkimer) is almost wholly devoted to dairying, and that the only diseases of farm stock affecting us are those which affect dairy-cows, as but little other farm-stock is kept. Epidemic abortion has prevailed here among our herds more or less for the last eighteen or twenty years, and a part of this time to an alarming extent in many herds, as high as 90 per cent. of the cows aborting.

At the annual meeting of the American Dairymen's Association, held at Rome, N. Y., in January, 1876, a committee of three was appointed (of which I was one) to petition Congress to offer a reward of $10,000 for the discovery of the cause and a remedy for abortion. But the committee appointed, believing this sum ten times too small, never took any action in regard to the matter, and hence it has rested ever since. But if the dairymen of the United States can rely upon the Commissioner of Agriculture to aid them in the work of investigation, we will take new courage and see what can be done with his aid to relieve dairymen and stock-breeders of this terrible scourge, by which more than a million dollars has been lost each year for the past fifteen years

Mr. ELI AVERY, Clayville, Oneida County, New York, says:

Seven years ago I lost seven swine. Nothing unusual in their condition was noticed. They were fed in the morning, all eating well, but at noon feeding one was found dead and bloated, his legs standing out stiff like the legs of a bench. The others fed well, but at night two more were found in the same condition. This continued until seven had died. They turned purple as soon as they died. Others were lost in our town at that time from the same disease. Mine were principally fed on skimmed milk.

I have had occasionally, in wet weather, horned cattle affected with hoof-ail, or foul foot, as the farmers call it. This disease is very easily cured by cleaning the hoof with acid and covering it with tar.

F. D. RUICK, La Grange, Ind., says:

During the prevalence of chicken cholera in this section it is very fatal. Chickens attacked with it will sometimes live a day or two, but generally they will die within a few hours. I have fed a hundred head in the morning, all apparently in good health, and at noon have found half of them dead, and perhaps half of those remaining were staggering around like so many drunken men. The disease is no doubt contagious, and if the chickens affected are not at once separated from the well ones the entire flock will soon be inoculated.

This year I have lost but three chickens from the malady. As soon as I discovered that they were affected I separated them, giving the well ones a fresh coop, and fed them freely with red pepper (capsicum) and sulphur. The result was that I saved the balance of my flock.

The feathers on the breasts of some of the chickens, when first attacked by this disease, become ruffled; the breast hangs down between the legs and appears to be full of water, like one afflicted with the dropsy.

J. B. BLOOMER, V. S., Wauconda, Lake County, Illinois, says:

Horses here suffered severely with epizootic distemper, and for two years thereafter were disposed to severe influenza. The epizootic left the mucous membrane so much inflamed that a slight cold would seriously affect them; but this would generally yield readily to simple remedies.

With the exception of milk-fever, cows are unusually healthy. For this disease, I am sorry to say, I have found no sure remedy. On an average, I have lost about one-third of the cows that I have treated. However, in no instance have I lost a case where I have been called upon in the early stages of the disease. My practice is:

Counter-irritants of mustard on the back, with very hot cloths changed every five minutes. Medicines: Digitalis, tartar-emetic, and niter. Diagnosis: Total loss of strength in their feet within three hours after the attack; high fever, constant moaning, legs cold and sprawled out.

Our sheep suffered throughout last winter with a disease similar to the epizootic. In many cases all the yearlings in some flocks died. The older ones were not affected. The attack would commence with hard coughing, loss of appetite, general debility, &c. The farmers pronounced it fatal. When told what to do to relieve them they answered it was no use, as medicine had failed to have any effect. Should the disease occur again during the coming winter I will give it close attention and report.

Mr. Nathaniel Vose, Whittier, Ill., says:

Last spring, horses here were attacked by what is commonly known as "horse-distemper," with some difficulty of breathing, &c. Their heads swelled to the point of the muzzle, and sores commenced to gather and break on all parts of the head, and discharged freely, with the usual running at the nose. The usual remedies of physic and smoking condition-powders with leather, and in some cases roweling and bleeding were resorted to, but they were of no avail, as death ensued after one or two months. From my observation of a yearling colt, it seemed to be affected like a person with the scarlet fever, excepting there was no difficulty in swallowing food or drink. The gatherings continued and the colt became very much emaciated, yet was able to walk about until it died. Two and three year olds have died with it, but no old mares. It seems to be a malignant type of horse-distemper. The disease was similar to others which had the distemper very light, only the head swelled enormously in the fatal cases.

The foot-rot in sheep has heretofore prevailed to some extent, but is about eradicated. Sulphuric acid and copperas are the general and successful remedies.

Last year there were some losses by hog cholera, but no cases came under my personal observation. This stock is generally healthy hereabouts. A short time ago I noticed one of my pigs had what, I believe, is called the "thumps." This was the only case I ever saw. The pig would pant or jerk almost like a person with the hiccoughs, only the jerk seemed more in the abdomen than in the chest. It grew thin and died after about six weeks.

A. M. Dickie, M. D., Doylestown, Pa., says:

I have given some little attention to the ailments of fowls, as I keep a few and am interested in them. The diseases incident to the poultry-yard are very little understood, and the result is enormous aggregate losses every year. In the general investigation and study of the diseases of farm-stock, veterinary science has, so far, ignored or omitted to study the ailments of poultry, mainly, perhaps, from the fact that poultry are looked upon as inferior, or subsidiary farm-stock, and of little or no account anyhow. This is a misapprehension, because the poultry interest is really an important one, susceptible of almost indefinite expansion and usefulness.

The hinderances to poultry-keeping may be arranged in three classes: 1. Parasitic diseases. 2. Catarrhal diseases. 3. Poultry cholera.

In the first of these classes, the main trouble is the *gape* disease, produced by a parasitic worm in the trachea of young chickens and turkeys.

In the second class the principal diseases is *roup*. This is common to all ages, and prevails mostly from November to May, and is much more prevalent north of the fortieth parallel than south of it. I think there are at least four distinct diseases included in the general term *roup*.

The prevailing disease in poultry in the summer months, or from May to November, is poultry cholera. This is much the most serious and fatal of the hinderances, and has discouraged many poultry-keepers south of the fortieth parallel, as it is mainly developed south of this line.

These diseases are all epidemic in character. They extend over large sections and are very destructive, and in some localities have greatly discouraged people to the detriment of the interest in poultry production.

If poultry-keepers knew how to manage or control these three classes of ailments most of the hinderances would be overcome. Any investigation which will tend to remove or overcome them will be gladly accepted by the people as a needed assistance in protecting an important and growing industry.

The general public has no appreciation of the importance and value of the poultry industry in our country, and especially on the North Atlantic slope and Lower Lake region. The annual products of the poultry-yards of the nation are variously estimated at from $200,000,000 to $450,000,000. The truth is probably between these extreme figures.

The annual poultry products of Bucks County are very near $2,000,000, and amount to more in value than any other industry pursued in the county as a specialty. It

leads the dairy interest, the grain interest, the fruit interest, and all other kinds of live stock put together. But this is probably the leading county in the Union in poultry production. There is nothing to hinder the business being generally extended, except the drawback resulting from ignorance of the management and the prevailing diseases. If your department can secure an appropriation to conduct an inquiry into the diseases of domestic animals, fowls included, it would certainly be to the advantage of our agriculture.

Mr. S. E. Stowe, Grafton, Mass., says:

Abortion in cows, here in the central part of Worcester County, is becoming quite an alarming disease. Since receiving your letter, by inquiry I find that about one-fourth of our cows lose their calves, some at four, but the majority at from six to eight months along, causing a loss to the farmers of one-half their value for dairy purposes. There has been nothing done in this vicinity, or in the State, to find out the cause or discover a remedy. My own conclusion is, that the disease is caused by some weed that is eaten by the cows, both in grazing and in the cured hay.

Mr. J. S. Duncan, Cross Creek Village, Pa., says:

In reply to your letter I will say that we have various diseases among our farm-stock. The first is among cattle. The prevailing disease is among cows, commonly called milk-fever. The symptoms are as follows: About twelve hours after the cow drops her calf she becomes restless, switches her tail and moans occasionally as if in pain. The treatment is usually to physic the animal, bathe the back with mustard and warm water, and give ginger internally. The average loss of animals is about three-fourths of all attacked.

The prevailing disease among sheep is foot-rot. It commences between the toes. It first appears like a scald, and spreads, until finally the entire foot becomes affected. The remedies are, butter of antimony, blue vitriol, and nitric acid. Various other remedies have been tried, but without effecting a perfect cure.

The disease most common among poultry is cholera. The first sympton is extreme dullness. As a general thing they will sit on the roost until they drop off dead. They are usually sick from twenty-four to thirty-six hours. When this disease enters a flock it is so contagious and fatal that but few, if any, escape. Various remedies have been tried, but none have proved effectual.

Mr. J. B. Kendrick, Monticello, Ky., says:

We suffer here mostly from hog cholera. It is impossible to give any diagnosis of the disease, for it manifests itself in numerous ways. I have seen them linger for months and ultimately recover, while others would die very suddenly. Again I have seen them in apparent good health, and, while eating, suddenly jump up, squeal, and fall over dead. Hogs turned on the mast or acorns last winter did very well apparently, but when killed many of them were found to be affected with worms. In numerous cases worms an inch or more in length had penetrated the heart and bowels. Cholera has generally been worse among our hogs after a good mast-year than any other time.

Chickens are also affected with what is known here and elsewhere as cholera. The part affected most seems to be the liver, which enlarges to two or three times its natural size. The fowl is always fat when attacked. The disease is very fatal. Guinea-fowls and turkeys are occasionally attacked.

Horses are comparatively free from diseases, except such as are brought on from bad treatment. I have known two or three mares unable to bring forth their foals, for which no cause could be assigned by their owners. * * * What produces the whitish water-bag in colts after they are castrated? Several that I have castrated have been so affected, but I can assign no cause for it. It greatly injures the sale of young horses in the South.

Mr. Le Grand Byington, Iowa City, Iowa, says:

In my thirty years' experience as a farmer no subject has worried me so much as the "diseases prevailing with such fatal effect among my farm-animals," and upon no subject, let me add, is so lamentable ignorance prevailing, among those of my occupation, as upon the causes, preventives, and treatment of these prevailing diseases. In all that time I do not remember an instance of an animal of mine, of the cattle or swine species, that ever recovered from a serious illness. If you succeed in disseminating valuable information on this important matter, you will be remembered with gratitude; and in the effort you can rely upon my co-operation.

Mr. J. B. Reid, Macon, Tenn., says:

I will say here that no one in this locality pretends to know the causes of the various diseases which from time to time afflict our farm-stock. Intelligent planters seem to think there is no cure for any of them, and it would seem true, as they invariably prove fatal. Within a radius of a half mile of this little village twenty head of milch cows have died in the last three or four months. The disease proved fatal in every instance. The government will act with wisdom in making an effort to stay these diseases, as the loss annually is immense.

Dr. J. R. Woolfolk, writing from the same place, says:

In answer to your inquiry, "What is the nature of the disease which now prevails among the hogs of your community?" I must say that from the very casual examination I made of one that died of the disease, I am not prepared to give a satisfactory diagnosis, and will only say that I found complete engorgement of the liver, with enlargement of the same. The lungs presented no indications of disease, nor did the intestines. There was a collection of serum or bloody water in the pericardium, or investing membrane of the heart. There were no indications whatever of inflammatory action on any of the abdominal or thoracic viscera, except the liver. There was positive passive congestion of the capillary circulation generally, which I have reason to believe was not stasis anæmia, as might reasonably be supposed. It is the same disease which prevailed to such a destructive extent among the hogs in this country in the year 1868. From what I can learn the same may be said in relation to the disease among cows. There is an appearance of congestion of the capillaries: they are also infested with ticks. Some of the farmers say it is bloody murrain, while others believe it to be dry murrain.

Mr. H. Sevison, Constantine, Mich., says:

We have had no diseases among horses, cattle, or sheep for several years past, but our hogs have been seriously affected with what is generally known as cholera. The disease has been a very peculiar one here. Some were affected in their hind legs, others in their fore legs; some died very suddenly, while others would linger for months, and, after becoming mere skeletons, would lie down and die. The loss has been very heavy. No cause for the disease has as yet been discovered or remedy found. Some have thought that pure, clear water would prove a preventive, but such is not the case.

Mr. T. J. McDaniel, breeder of standard and fancy poultry, Hollis Centre, Me., says:

The greatest drawback we have in poultry-raising in New England is *roup* (*Cynanche trachealis*), and *canker* or *catarrh* (*Uzæna*). The former is characterized by a difficulty of respiration, particularly at each inspiration, while the expiration is less difficult. The fowl will raise and extend its head at each breath, thereby inducing congestion. This is sensibly increased at night, and will end in suppuration, during which stage it is highly contagious. Fowls so afflicted should be immediately killed or isolated from all others.

The causes of roup are insufficient ventilation or damp roosting-places; foul air will induce catharsis, such as potatoes, sour milk, particularly buttermilk, overfeeding with fresh meat, &c. Last fall I got out of corn, and for three days fed boiled potatoes with a little meal; getting out of meal, I fed potatoes alone for three more days. At the end of this time we were visited by a storm of snow and sleet, and nearly every one of my fowls took cold. Several of them choked to death. Finally breathing with most of them became easier, when a purulent offensive discharge became established at the nostrils, and from the mucous membrane of the throat in particular. Knowing the disease had become highly contagious at this stage, I at once separated them. I observed among those I had bred to stand and (for later points exclusively) that the disease proved fatal in far the greater number of cases. For instance, among my brown Leghorns that were bred for exhibition purposes only, one cockerel had red ear-lobes—as nature designed—and he alone escaped, though confined with the worst cases, which were among and included nearly all the fine-bred birds.

In-breeding is another cause of failure in rearing pure-bred fowls. With common or native breeds it proves less disastrous, though it should never be continued for a length of time with these, as stamina is thereby decreased and the fowls rendered more susceptible of disease. The old adage holds good in the case of roup especially that "an ounce of prevention is worth a pound of cure." However, my advice is

:parate the fowls immediately upon discovering the least symptom, such as coughing, ıud breathing, or a "wet beak." Fowls become contaminated much sooner if fed ough, as the dough that adheres to the beak will be picked off by others. The isease will also be communicated by drinking from the same vessel. The germs of ıe disease will float on the water and soon infect all.

I never knew of a case of roup in a flock that roosted in trees. If a flock (part of hose numbers have the roup) are at liberty, and are fed with corn scattered on the round, not in the immediate vicinity of their pens, and should drink from a running :ream of water, there need be but little to fear even if some of them should contract ıe disease; yet the affected cases should be separated, their roosting places thoroughly hitewashed, and all excrement removed. The fumes of burning tar during the night rove quite efficacious, if persisted in three nights in succession. Sulphate of iron ın ounce to one gallon of drinking-water) is the best remedy.

Fowls are most susceptible to diseases during the molting-season, or when the first ıow-storms occur. Roup will soon be brought on by roosting in low and damp apart-ıents during the winter months. Farmers who allow their fowls to roost high in ıeir barns are seldom troubled by this malady.

Sulphur and lard rubbed on the heads of young chicks for the purpose of killing ce, though effective in destroying this pest, will soon bring on roup—sore eyes specially. I have had a dozen little chicks moping around with their eyes closed, ıd if they had not been fed by hand would soon have died of starvation. If roosting-ouses become infested with lice, whitewash is the sovereign remedy, for a flock of oultry covered by these pests will, sooner or later, take roup and its concomitant oubles.

Mr. RALPH W. MILLS, Webster Groves, Mo., breeder of poultry, says:

My experience with fowls extends through a period of eight consecutive years, refaced by a familiarity with this portion of the feathered race during boyhood. I ave bred successfully, and in the order named, the varieties classed as games—White rested, White Polish, Light Brahmas, Buff Cochins, White Booted Bantams, Gold aced Sebrights, Partridge Cochins, Black Breasted Red Game Bantams, Plymouth Rocks, and Silver Spangled Hamburgs—all being of the kind popularly termed "fancy owls."

As regards diseases affecting fowls coming under my observation, they are chiefly wo in number, viz., cholera and roup; and what may prove as great a scourge as either, he plague of lice.

Cholera is in its symptoms not unlike the disease similarly named in the human dis-ase. It is first observed in the character of the droppings, green in color, growing hinner, clearer, and more liquid with each subsequent evacuation, until, utterly weak-ned and prostrate, in a course of from twelve to forty-eight hours' duration, the fowl uccumbs to death. During the attack great thirst is manifested, but indifference to ood. I have been unable to learn that any person has ever positively determined the ause of this disease. My own opinion is that it is a generated poison (atmospheric), ot unlike malaria, and dependent for its development upon certain favoring con-itions in certain localities at certain seasons. It is contagious in some degree; and owls having the disease should be promptly separated from those not affected, and hose dying of it should be carefully buried at once, or burnt with brush or litter, to bviate the danger of infection.

I have but little faith and have had but indifferent success in "doctoring" the dis-ase with anything in the nature of drugs given in doses. Four cases in five will result atally. Dry, warm, clean, well-ventilated quarters, other than those lately occupied y the sick fowls, a complete change in the food offered and in the order of feeding, reely incorporating ground red or black pepper in all soft food given, with the "Doug-ass mixture" put in all the water placed before them to drink, will accomplish, to-ether with an occasional disinfection of their premises by the use of carbolic acid in olution, and fumigation of their houses with roll brimstone and rosin placed on live oals, about all that can be done to cure and eradicate the disease.

Reference is made in this connection to the "Douglass mixture," a tonic in general ıse among experienced poultrymen everywhere, the formula of which originated with Mr. John Douglass, of the Walesley Aviaries, England. It is as follows: 1 pound sul-hate of iron, 1 ounce sulphuric acid, 1 gallon water. Give a teaspoonful in each pint f water placed before the fowls to drink occasionally in health as a preventive; requently in disease as a corrective. It is inexpensive and very efficacious. Upon he reasonable hypothesis that "prevention is better than cure," the suggestion is nade that so far as they can be known, the *wants* of fowls should be supplied in order o keep them in health. Gravel, lime, grass, vegetable food, insects or animal food, iberty, fresh clean water, regularity in feeding, &c., are all essential to the healthful-ıess of domestic poultry.

The disease second in order, viz., roup, is well known, and, in its incipiency, can be ıuccessfully treated. It is the result of a cold, attacking the head; is similar to nasal

catarrh in the human species. The disease arises from exposure to uneven and [illegible] wholesome temperatures, especially as maintained in the fowl-houses. Damp[illegible] want of light and ventilation, draughts of air, &c., are fruitful causes of its appearance and favorable to its perpetuation. The symptoms of an attack are, first, a thin clear, mucous discharge from one or both nostrils, sneezing, and froth in the corners of the eyes. This froth can be seen to bubble when the fowl breathes. As the disease progresses (which it will certainly do if neglected), the discharge becomes more profuse, and changes in color and consistency, becoming decidedly yellow and thick, and eventually putrid—offensive to the sight and to the smell. The whole head becomes involved; the parts swell and become inflamed; the eyes close, and the patient, constantly falling off in condition, becomes helpless and unable to supply its wants, and finally dies. The disease may result fatally in two weeks, and may continue [illegible] months. I have cured two obstinate cases; in one of these, however, one eye was entirely lost. I once checked the disease that had attacked at least twenty of my [illegible] at one time by the timely use of vigorous sanitary measures alone—a thorough cleansing; fumigating (for like cholera it is contagious); changing of feed, &c.; the use of the Douglass mixture in the drinking-water, and a thorough cleansing of the parts affected in this disease—eyes, nostrils, mouth, and face—with "Lavrabaque's solution" of chlorinated soda (to be had of any druggist), diluted with an equal part of tepid water, applied with a small piece of sponge. In the instance referred to one application sufficed. In cases more advanced two applications per day, morning and evening, should be made until improvement follows. Warm water and vinegar, equal parts, are useful cleansing agents instead of the solution mentioned. I have no confidence in the use of internal medicines in this or other diseases affecting poultry except the "tonic" before mentioned. Change in the fowls' living-quarters, extreme cleanliness, disinfection and fumigation, are the general agencies that are to be employed in disease, so far as my observation goes.

As to the "plague" alluded to in the beginning of my letter (that of lice), in the language of a brother poultryman, "they are simply a disgrace," and perhaps almost when allowed through neglect to multiply *ad libitum*, become the greatest of all obstacles in the way of successful poultry-raising. It may be set down as a rule that *fowls are never thrifty when infested with lice.* They are out of condition, and thus especially liable to any of the diseases which infect their species. Prevention is, as in the case of disease, better than cure. Clean premises, dust-baths to wallow in; flowers of sulphur in the litter composing the nests; saturation of roosting-[illegible] or perches, with coal-oil; fumigation; application of hot whitewash to all parts of the fowl-houses, are effectual preventives of this scourge.

If the vermin have already obtained a lodgment upon fowls and in henneries, the same measures much more vigorously employed, in addition to those suggesting themselves as serviceable in improving the general condition of the flock, with the use of flowers of sulphur (a tablespoonful to a quart), in all the soft feed given them for a few days, will banish and destroy the nuisance.

This pest, of which I have definite knowledge, is of two varieties; a large kind, sixteenth of an inch and over in length, quite in appearance like the genus that attacks squalid and untidy children, not very numerous on a single fowl, but leaving the fowls to prey upon young ones as fast as they appear. This kind is very damaging to little chicks, usually fastening upon the poll, and around the vent, and under the wings. Grease will kill them.

The other variety is far more troublesome in a general way, by reason of their great numbers, swarming in myriads in the places occupied by the poultry, and in perfect contiguous, literally overrunning the fowls, and almost deterring the keeper from entering the premises devoted to them, for they will get upon one's hands and clothes and are so infinitesimally small that they are with difficulty got rid of. This kind will drive a setting hen from her nest, and cause all the fowls to dread their quarters. They multiply to this extent *through neglect.* The remedy has been suggested.

It may be remarked in concluding, that the care, management, and treatment of fowls, in health and in disease, are essentially the same in the case of the choice, [illegible] breeds in the yards of the "fancier" and mongrels produced by any sort of cross between varieties that are found in numbers upon the farmer's premises. In either instance, any measure adopted with a view to supplying the natural requirements of the creatures will be the most effectual means of improving their condition and enabling them to ward off disease, which in most cases, in my opinion, results from neglect.

GEORGE Y. PARRY, V. S., Newtown, Bucks County, Pa., says:

Typhus or Texas fever and pluro-pneumonia in cattle are the only diseases that exist in this section of Pennsylvania that we have any trouble in managing. Unusual diseases have prevailed for the past few years that are common to horses and cattle, too numerous to write out a diagnosis.

If anything can be done by Congress to wipe out the two first-named diseases I will be glad to assist in any way to accomplish it.

Mr. H. SHACKLEFORD, Woodbury, Tenn., says:

I have to remark that no disease of a fatal character exists among any of our farm ıimals except hogs. The di-ease generally known as hog-cholera has been prevail-g in this county and other counties contiguous to it to an alarming extent, many of ıe farmers in the community having lost nearly their entire stock, so fatal has been ı ravages in many localities.

As to a diagnosis of the disease, nothing definite or satisfactory has been arrived at so r as my investigation or information extends. The disease is developed in the same ırd of hogs in various forms. For example: Some among the herd, apparently in ɔod health, will be suddenly attacked with vomiting and purging, and will die in om twenty-four to thirty-six hours. With others the disease will assume a differ-ıt form of attack. Some will make constant efforts to disgorge the contents of the omach, which seems to be locked up in their bowels. This constipation continues ith many of them from the time they first take the disease until they die. Many of ıem thus afflicted will live from one to two weeks, and I have known a few to wear ıt the disease and recover; but the few that survive rarely ever make thrifty hogs. may further state that a great many hogs of different ages and sizes sicken and die ithout exhibiting the symptoms above pointed out. In a majority of cases which ıve come under my notice within the last two years, the disease can be easily de-ected in any herd of hogs by the symptoms indicated, apart from the vomiting, purg-ıg, &c. Whenever a farmer discovers among his hogs any that move around as ıough they were too lazy to get out of each other's way, afflicted with a squeaking ɔugh, stiff in their joints, and when standing or walking hang their heads near the round, with a most offensive effluvia exuding from their mouths and nostrils, accom-anied by loss of appetite but insatiable thirst; also, manifesting a strong desire to nd a warm place in which to lie down, and, when lying down, lie on their bellies in-ead of on their sides, they should be at once separated from the well ones; or, per-aps, the owner would be no worse off in the end to kill all such to prevent others from ıking the disease from them.

I am of opinion that it will be needless for me to write anything on the subject of reventives and cures, as all the remedies heretofore introduced and tried in this sec-on of country have been pronounced a failure by the most of those who have tried ıem. I am well satisfied in my own mind that not one of the many remedies which ave been introduced and vouched for can be relied on as a cure, from the fact that ıhat is commonly termed hog-cholera I believe to be a variety of diseases, and it is ıst as absurd to suppose that one remedy will cure all the diseases of hogs as that ne remedy will cure all the diseases of man. Nevertheless, of the many remedies ·hich have been brought to public notice, I doubt not but much good has been done y at least preventing disease, if not in some abstract cases effecting a cure.

I am an old man, and a firm believer in that old trite maxim, "An ounce of prevent-ve is worth a pound of cure." If, therefore, the Department of Agriculture can, by irther investigating the subject, discover a remedy which will check up or effectually top a disease whose ravages hitherto have not been confined to any locality or cli-iate, it will confer a lasting benefit on our nation.

Mr. JAMES M. MAYO, Whitaker's, Nash County, North Carolina, ays:

In response to your circular letter of the 10th instant, I report as follows:

Horses.—One-half of 1 per cent. are subject to what is known among the planters s "Staggers." The animal seems sluggish and sleepy, eyes dull and sunken, ears ɔld, and pulse quickened. This continues from two to four days. The animal, at ıtervals, suddenly starts and walks, or rather staggers around in a circle, with head own. Of those affected, 99 per cent. die. It is noticed that there is more of this dis-ase when we have a rainy spring than when the reverse is the case. The writer has ured one case. I drenched the animal with a solution or decoction of red pepper and alt once each day, and cut the forehead about two inches above and between the eyes, hen running the blade of the knife down and up loosened the skin, thereby getting up counter-irritant. I know of another horse cured by a similar process. I think this isease is due in a great measure to defective forage, bad and early grazing, when the nimals are not accustomed to it—in short, when the planter, in anticipation of a short rop, desires to economize in feed and stints his animal. In 1867, we had an unusual mount of rain and bad crops, and the death rate by staggers was fearful. In Hyde County the rain-fall has been very great, and hence crop prospects exceedingly poor, nd the fatality this season has been much heavier than usual, as doubtless you have een from the reports from that county. I state this much to show that with judicious nanagement this fatal disease might be avoided. We also have the snuffing epizootic, hat "comes on the wings of the wind." I use, and have seen used with good effect, arbolic acid, pine-tar, and other disinfectants. We have, in isolated cases, other dis-

eases as cited in the books, and used the remedies as suggested, with the ordinary percentage of failure and success.

Cattle.—We can almost say our cattle are free from disease. We give them no care at all, even in winter, and what few die is the result of old age or starvation. The same may be said as regards sheep. There are but few in the county, and they take care of themselves.

Hogs.—Cholera, as we know it, is the disease that promises to make the raising of pork difficult in this country. The animal is taken with vomiting and running of the bowels, no disposition to eat, general languor and listlessness. Of the old (one year and over) affected, 35 per cent. die; of the young pigs and shoats, 95 per cent. I do not think that the disease, once in the system of the boar or sow, ever leaves it entirely; for upon the sow having pigs again she will either have very few, or what she does have will soon die with this cholera.

Remedies.—1st. Put a small quantity of spirits of turpentine on the corn or in the feed three times each week or oftener, as it will do no harm. 2d. Feed all the slops or swill-feed you can, in which put saltpeter, red pepper, and salt. 3d. Keep salt at all times where the hogs can get all they want, and, by the way, keep it where all the animals can get at it at all times.

This dreadful disease was almost unknown in the days of our forefathers, and I have almost arrived at the conclusion that the raising of cotton has bred it. It is known that the eating of cotton-seed by hogs while the seed are in the process of fermentation will certainly kill them; and this, in my opinion, has brought about the disease. But the question is asked, "How does the cholera get up in Iowa and the Northern States, where they raise no cotton?" They buy the oil-cake, which is made of cotton-seed, and feed it to their hogs. A small percentage may die from eating poisonous mushrooms, but I do not believe that many die from that cause. On one of my plantations, on which I have raised a great number of hogs, I never knew a case of cholera or any disease, until this year, when I lost between fifty and sixty pigs. The reason was this: My superintendent had made a compost-heap in which he had put a large percentage of cotton-seed, and the hogs had free access to it. So soon as the seed commenced to rot, the hogs eating them were taken with the cholera. If the farmers of the North will keep their hogs from cotton-seed and oil-cake, my word for it, they will never be troubled with cholera.

Fowls.—We denominate the main disease with them here "cholera." The fowl droops for a short time, and then commence spasms, from which they soon die. They are found dead under the roost and about the yard. I think this disease is partially due to inattention. The loss from cholera is about 5 per cent. For a remedy, feed them on small grain in moderate quantities. Mix in dough and feed once a week, or as the flock seems to need it, alum, red pepper, onions, and copperas. Keep marl or carbonate of lime where they can get it, and they will eat as they need it. Turkeys, ducks, geese, and peacocks are quite healthy, and I never knew one diseased.

Mr. George S. Selvidge, Wheatland, Mo. says:

Before proceeding to answer the interrogatories contained in your favor of the 24th ultimo, permit me to urge upon Congress, through your department, the absolute necessity of making such appropriations as will be required to meet the expenses of an investigation into the causes of the various diseases affecting farm-animals.

Horses are very healthy in this locality; no epidemic or contagion since the epidemic in 1872.

Since the passage of State laws prohibiting the grazing of Texas cattle on the prairies, mature cattle have been healthy. Calves are often affected with a disease known as "black-leg." About 90 per cent. of those attacked die. The symptoms are lameness in one leg (more generally, I believe, the right forward leg), ears pulled forward, and nose dry. This condition lasts from ten to thirty-six hours, when one in ten will probably begin to recover; the other nine, of course, die. I have tried bleeding, letting and active cathartics without effect. I have not known any other remedy tried. A rather remarkable feature of this disease is that the fat, well-fed calves are generally the first attacked; and if any escape, it is the lean ones. This feature of the disease has led some breeders to adopt as a preventive a seaton passed through the loose skin on the under side of the neck, by which a slight suppuration is kept up. Those who have tried it claim that this is an absolute preventive.

Sheep are healthy here, with the exception of an occasional case of scab or foot-rot, diseases too well known to require mention.

Under the head of diseases among hogs many pages might be written. In 1876 our farmers lost heavily, probably one-fourth of what should have been their income for the year. Some lost all, after feeding out the enormous crop of 1875.

The disease is what is generally known as hog-cholera. It presents itself in three distinct forms: One in vomiting and purging, presenting something of the symptoms

f cholera in the human system. In another, severe constipation; and in yet another, he symptoms of quinsy, without the swelling under the throat. And yet we call it ll cholera!

It would be hard to enumerate half the medicines that have been tried and found ranting as remedies for this disease. But after all we know absolutely nothing of he seat of the disease or its causes. Those who have not "doctored" at all have fared s well as those who have.

The same remarks are applicable as to fowls; we have suffered much and learned othing. I have talked with a number of our best informed stock-men, and even with hysicians, and find their theories differ so widely that I hardly think it worth while o give them.

Mr. W. B. Flippen, Yellville, Ark., says:

Our horses are afflicted with no other diseases than distemper and blind-staggers. 'armers attribute the latter to feeding new ground corn or late corn, which is gen- ially worm-eaten. Others attribute it to the horses eating unsound corn and worm- ust. I know of no certain remedy.

Cattle are occasionally affected with murrain, and what is here called black tongue. he tongue becomes red and raw on the upper side, and if not attended to promptly, urns brown or black on top, cracks open, and becomes so sore that the animal cannot ed, and in a short time will die. This disease prevails only at intervals. It is easily ured by washing the tongue two or three times with a solution of salt and copperas. suppose the copperas alone would effect a cure, as those herds are never affected ith it where copperas is mixed with their salt in the summer and fall months.

Cattle are also occasionally affected with what is here called Texas fever, but it is ot incident to this locality, and prevails only along the line or route where droves of attle from Texas have passed. The disease is very fatal, and I know of no remedy.

I have observed in this locality, twice within a period of forty years, a disease called mad itch." I have never known a case cured. At first the animal appears feverish nd not inclined to feed. In a day or two the eyes assume a reddish color, and the aws, or skin on the sides of the jaws, become much swollen. When opened with a nife yellow water drops out freely. The animal commences rubbing the sides of s jaws against a tree, or anything it can get access to, and will continue to rub ntil both sides of the head are raw. In two or three days death ensues. Before it ies it becomes to all appearances perfectly mad and furious, but continues to rub its aws until death relieves it of its sufferings.

Mr. H. Conly, Cheyenne, Wyo., says:

We have some losses of horses, caused by their eating "poison-weed," properly nown as "larkspear," which makes its appearance about the middle of April, and on r immediately after the 1st of May, in advance of the grasses. A hungry or jaded nimal will eat a quantity of it, and within a few hours will begin to bloat, and if ex- rcised or excited will tremble violently and fall down. If immediate relief is not btained the attack will prove fatal. The remedies commonly used are lard and bleed- ng by slitting the animal's ears. Many of them will have all these symptoms and ecover without any assistance. I am not prepared to give you the approximate losses aused by this weed. It is not so great as formerly, owing to the fact that stock-men uard against grazing upon lands where it abounds. I have taken some pains to test s properties, but owing to limited means have only found it to be acid, increasing in cidity as it grows older. I shall be pleased to send some of this weed at the proper ime, should you desire it. If you could obtain an analysis of it, a simple antidote ould follow, thereby saving us great losses.

Poultry seems to suffer about the same as in the States with diseases such as cholera nd roup. All of the minor complaints come under the head of roup. We lose about 0 per cent. from the former. I believe there has been no sure remedy discovered. I ave found that coal-oil will check the spread of the disease as speedily as anything, ut that will not cure a fowl when attacked. I give it to them twice a week by satu- ating their corn and feeding them abundantly.

Messrs. Crawford, Thompson & Co., cattle-dealers, Evanston, Wyo., ay:

We have no general sickness of any kind among cattle, sheep, horses, or hogs. This s strictly a healthy country. The only disease among any of the above-named animals hich has come under our observation is scab on sheep, which we very easily manage y washing with sulphur and tobacco.

Mr. FREEMAN WALKER, North Brookfield, Mass., says:

On some of our farms a large percentage of the cows abort their calves from one to four months before the time of calving. In some towns this has taken place from year to year, and the farmers know of no cause or remedy. I am expecting to come in contact with some of our farmers who have suffered in this way, and if I can get any facts of importance, I will communicate them to you.

Mr. T. N. BRAXTON, Paoli, Ind., says:

In this locality all classes of farm-animals, except hogs, have thus far escaped all diseases. The hogs in Southern Indiana have been diseased for the last year with what is known as cholera. Sometimes they are constipated, and at other times affected with vomiting and purging. Different remedies have been tried, but none of them have been attended with success. I have been feeding three hundred head this summer, in a lot in which there is a spring of running water. The water is very brackish and leaves a sediment in the branch that looks like copperas. I also give my hogs ashes and salt. I have not lost one out of my entire lot with this disease. Other farmers in my neighborhood have had the disease among their hogs and have lost a great many. Salt and ashes may be a preventive, or the water from the spring may be, or possibly, good luck alone may have caused my hogs to escape.

Mr. JOSEPH HOLE, Butlerville, Ind., says:

I am pleased that you are taking steps toward having an investigation of the causes of the fearful maladies to which farm-animals are subject. I shall be very glad to render you any assistance in my power for the furtherance of so laudable an object. Horses, cattle, and sheep are comparatively healthy. Chicken-cholera prevails to a great extent, but not sufficiently to affect the interest.

The hog disease has prevailed in this and adjoining counties for several years, more I think, as an epidemic than as a contagious disease. Cholera is a misnomer, with at least, as a large majority of the cases coming under my observation are constipated. Perhaps erysipelas or diphtheria would better describe the disease, although neither of these would, in all cases, be correct. What renders a description of the disease so difficult is, that while there are some general symptoms, such as loss of appetite, some strong febrile tendencies, yet in a herd of hogs there will be a great variety of forms of attack. Thus several cases of sudden and complete paralysis have occurred. We the hog, previously in good health, was running for the feed prepared for it, it has stricken down precisely as when shot in the brain with a bullet. In such cases *post mortem* examinations fail to discover any unnatural appearance of the intestines; the condition of the lungs generally indicates strong symptoms of congestion.

One of the common symptoms that precede an attack of the disease is a dry hacking cough. This, however, may continue for months without any further manifestation of the disease, though generally it is followed by the next symptom, a loss of appetite. And here any of the forms incident to the disease, and which no one can tell, may set in. Intestinal fever is a common attendant of the malady. In my own observation the bowels, as a rule, are constipated, the animal passing only small, hard pellets. Very rarely fetid diarrhea is observed. About 70 or 80 per cent of the cases prove fatal. Of those that recover, complete convalescence is not established under six or eight weeks, and even then no one will buy them if those that have never been affected can be had.

No panacea has been found for this terrible disease, nor has any treatment been tried so far as I know, that can be recommended. The use of antiseptics is perhaps the best treatment. Bisulphate of soda, sulphate of iron, turpentine, charcoal, nitrate of silver, carbolic acid, and creosote, have all been tried, and all have failed in bad cases. Preventives are better than cures. As a rule, those who give their hogs the best feed while in health, and look most carefully to their sanitary conditions, succeed with less loss than those who are less careful.

D. W. VOYLES, M. D., New Albany, Ind., says:

I am in receipt of your letter of the 10th instant, asking my assistance and cooperation in furnishing certain information in regard to the diseases coming within the range of my observation that affect the domestic or farm animals in this section of country, and in reply would state that I fully appreciate the necessity of such a movement, looking, as it does, to the protection of the interests of such a large and important class of our population. The assistance I may be able to render you will prove but little practical value at present, but may serve as an argument for the necessity of your undertaking, if argument is needed.

There has been no prevailing epidemic in this section of the State within the

few years affecting any class of farm-animals, except swine and fowls; and in these cases almost all complaints resulting in death are summed up by the people as "hog" or "chicken" cholera. In few cases of disease of this kind that have come under my immediate observation are found any symptoms analogous to the disease of that name as affecting the human species. The treatment has been as empirical and irrational as the diagnosis has been erroneous.

As to swine, the diseases, whether one or many, have created or caused a fearful loss to our farmers, and discouraged them in the further pursuit of that branch of stock-raising; and while almost all sections are more or less affected, there seems to be more disease and greater fatality among the farmers operating in the rich valleys of White and Wabash Rivers; and the disease and loss has been, I think, greatest during those years of great overflow, and greatest during the years in which the overflow occurred late in the season, leaving with its sediment the luxuriant growth of vegetation to decay and evolve miasmatic effluvia. From these facts I think much of the loss is caused from diseases brought on by exposure to miasmatic influence.

I am not conversant with any scientific investigations that throw much light upon the cause of these diseases, or the pathological conditions found on *post-mortem* examinations in such animals as have died. No treatment has yet been discovered by our farmers so certain in its curative effect as to inspire them with the belief that hog-raising is sufficiently safe from loss to insure profitable results. I am fully persuaded that so long as they content themselves in ascribing to all deaths the one common cause, "hog-cholera," and adhere to the present plan of empirical treatment, instead of patiently and scientifically investigating the causes producing disease in swine, and the various kinds of disease to which that animal is liable, giving to each its distinctive rational treatment, the subject will remain a mystery, and the fearful mortality continue to increase. That the farming population of the country, as a class, are not sufficiently educated to undertake this work, is a fact too well known to be disputed; and inasmuch as the great loss from that class of animals alone is not merely an individual loss, or the loss of a particular class of our people, but through them a great national loss, it is unquestionably within the range of the duties of the general government to undertake the extensive investigations which alone can accomplish this result.

What I have said in a general way in regard to swine applies with equal force to fowls. The loss, from whatever cause, is due to "cholera," in the opinion of most farmers, and astringent drinks and iron mixtures are given, whether the fowls are purging or are constipated from congestion from overfeeding, dying from starvation, or eaten up by vermin, or diseased from the foul air that arises from the filthy excretions remaining in their pens, unmoved for months, or from any of the many other causes affecting their health.

No fatal disease has prevailed epidemically among horses in this part of the country within the last few years, and this animal, therefore, is admitted by common consent to be liable to quite a number of ailments, requiring different causes for their production and slight modification in the administration of remedies for their cure; but in the case of the horse, the naming of a prevailing epidemic a few years since has unfortunately caused all bronchial and catarrhal affections to be grouped under one common class and name—"epizootic." In the treatment of this animal for whatever disease, we generally witness the heroic empiricism practiced upon the iron constitutions of the people of two centuries ago (who sometimes triumphed over both the disease and the doctor), by a selection of remedies from among the most poisonous and potential that can be found described in *materia medica*. All structural enlargements that do not warrant their removal by the surgeon's knife, instead of being slightly stimulated locally, in addition to such internal treatment as is calculated to favor their absorption and natural removal, are plied with blisters and the cautery until the country is filled with valuable animals scarred and crippled for life—living monuments of the ignorance and savagery of their owners and masters.

These facts, which I think are not overdrawn, show the impossibility of my giving you any tabular statement of diseases properly classified, and the treatment given under any proper head, because the several diseases affecting each class of animals have not been investigated, and are neither understood nor rationally treated. What I have been able to contribute, therefore, can serve only to show the great necessity for scientific investigation. The treatment of domestic animals in the West is generally committed to self-styled veterinary surgeons, whose experience is alone their guide, and that often founded upon the service of keeping some gentleman's horse, observation in a livery-stable, or as a common loafer around the neighborhood of breeding establishments.

Dr. H. J. DETMERS, vice-president of the American Berkshire Association, Bellegarde, Kans., writes as follows:

A thorough investigation of the epizootic, enzootic, and contagious diseases of livestock is certainly a step in the right direction, and will be, if judiciously conducted,

of more benefit to the farmers and stock-raisers of our country, and add more to the national wealth, than anything that has ever been undertaken or accomplished by the Department of Agriculture during its existence. I take the liberty of expressing my opinion thus freely, because of my almost constant residence in country towns and among farmers, my past connection with three different agricultural colleges in this country, and with one in Europe as professor of veterinary science, and still more, my extensive correspondence on the subject of live-stock and its diseases, with a great many farmers, and stock-men in nearly every State in the Union, who ask my advice as the conductor of the veterinary department of the Chicago Weekly Tribune, have given me ample opportunities to study the real wants and needs of the American stock-raisers.

With your permission I will remark that a rational and successful treatment, and still more a prevention of a disease, will be comparatively easy if the diagnosis is correct, and if the nature and the causes of it are understood and well known. If they are not, and if the diagnosis is doubtful, a successful prevention is impossible and a rational treatment is out of the question. The best and most scientific prescriptions can do no good in the hands of any one who does not know what to do with them, and still the average American farmer craves for prescriptions like a child for sweetmeats, because he has the erroneous idea, fostered by quacks and charlatans, that experimentation will reveal a specific remedy for every disease, and that medical science has nothing to do but to label each disease and to search for a specific. Even learned medical men have made grave mistakes, and have delayed the progress of science considerably by their great confidence in drugs and their search after specific remedies which do not exist. In all diseases, but especially in epizootic, enzootic, and contagious diseases, a removal or a destruction of the causes, constitutes the only rational and effective prevention. Therefore, if the nature and the causes of these diseases are thoroughly investigated, and the result is laid before the public in language comprehensible to any man with the usual amount of intellect, a great many millions of dollars may be saved every year.

When our agricultural colleges were called into existence and most liberally endowed by act of Congress, I hoped and expected that a chair for veterinary science would be created in every one of them. Instead of that, men who have no interest whatever in agriculture, though some of them may be learned enough, become the presidents in nearly every institution. The machinery became very complicated; a great many things were taught which are of no use, either to the farmer or the higher mechanic; expenses accumulated, and no money remained available to teach those sciences more intimately related to agriculture. * * * * * *

The investigation which you propose would have been made long ago, and many millions of dollars would have been saved to our farmers, if the agricultural colleges had complied with the law of Congres which commands them to teach those sciences related to agriculture, &c., or if a veterinary school worthy of the name were in existence in our country.

Mr. ELISHA GRIDLEY, Half-Day, Lake County, Illinois, says:

Stock here is generally healthy. Sheep were seriously affected with foot-rot a few years since. The diseased flocks were either cured or removed. A strong solution of pulverized blue vitriol, applied after thoroughly paring the feet, is one of the remedies used.

Cholera has not affected the hogs in this locality, but has destroyed large numbers of common fowls, turkeys, &c. Asafetida-gum, inclosed in a mosquito-bar and placed in the water they drink, has been used as a preventive, and, I believe, with favorable results.

Mr. JOHN E. THOMAS, Sheboygan Falls, Wis., says:

Farm-animals in this region are free from contagious and other prevalent diseases to which they are subject. Since the prevalence of "epizootic," some years since, all farm-stock have measurably escaped diseases of every description. Foot-rot in sheep, cholera in hogs, pip, &c., in fowls, and contagious diseases among horses, have all given us the go-by in later years. "Epizootic" is so well known that I do not regard a diagnosis necessary.

Mr. T. BACON, Wauconda, Ill., writes as follows:

Farm-animals in this county, so far as my knowledge extends, have been blessed with an almost entire absence of all diseases, excepting cholera among chickens. Poultry-yards have suffered terribly. All the nostrums have been tried, but with very poor success. Probably three-fourths of all the flocks infected have died. Even

Guinea fowls, roosting in trees, far away from all other fowls, have suffered in like ratio.

I have sometimes thought that hog-cholera was partially of a local nature, as we do not suffer to any great extent from it in Northern Illinois and in Wisconsin. If the finger was abolished, and the hog allowed to use his natural propensity, I have no doubt the disease would be greatly abated.

Mr. WALLER BRODIE, Whitaker's, N. C., writes as follows:

The only disease existing among any class of farm-animals in this section at present is hog-cholera. We have been troubled a great deal this year with the disease. Over 60 per cent. of our hogs have died, and a great many are now affected. The first symptoms of the disease are manifested in the way of a fever, followed by a diarrhea, which continues about three weeks, when death ensues. But few infected hogs recover. The disease is more fatal with young than with grown hogs. A good many remedies have been tried, but with indifferent success. In my hands sulphur has proved more beneficial than anything else.

Our fowls have also been affected with cholera for five or six years past. This disease is also very fatal, and plays sad havoc in the poultry-yards. Calomel has been used, I learn, with some success. The disease is not so general as it is among the hogs.

Mr. JACOB GROVES, Boston, Mass., says:

The first symptoms of roup are those of severe catarrh or cold, followed by a peculiar and offensive discharge from the nostrils. Froth appears in the under corners of the eye; the lids of the eye swell, and in severe cases the eyeball is entirely concealed. The nostrils become closed by the discharges, which appear to be about the same as the excrements of the fowl when suffering with diarrhea. This last symptom is so well known that a description is deemed unnecessary. The cause of roup is a too scanty supply of grain, which necessitates an excess of green food.

Mr. J. EARL LEWIS, Pendleton, S. C., writing under date of September 16, gives the following case of bloody murrain in a valuable young bull owned by him, and his manner and successful treatment of the same:

His urine was of a dark, muddy color, and it seemed to give him great pain to urinate, which he did in very small quantities. After eating he would become very sick, and was not disposed to move about much. When he did so it would apparently give him much pain, and he would travel but a short distance, when he would again lie down. I gave him, in the evening, one pound of Epsom salts, three tablespoonfuls of saltpeter dissolved in flaxseed tea, using for the same about one-half pint of flaxseed. In the morning I gave the same drench, except that I reduced the Epsom salts to one-half pound. There was not much change in his condition, save in the appearance of his eyes and a freer discharge of urine. It was a week before any decided change was observable. I continued to give him daily a little flaxseed tea and saltpeter, which seemed to bring back the natural color of the urine. At the end of a week he recovered his appetite and would eat heartily, but his food seemed to make him sick, and he would vomit like a human being. I then gave him, once a day for two days, red-pepper tea and salt, which had the desired effect. He gradually recovered, but has never been in as good condition as before the attack.

Mr. THOMAS RUDD, Waukegan, Wis., says:

We have a disease here among cows called milk-fever, which has proved very fatal. The loss has been greater than from any other disease. "Bloat" and "dry murrain" also exist to some extent, but these diseases, I think, are attributable to irregular feeding. Many other diseases prevail here from time to time among farm-animals, a description of which I will endeavor to send you soon.

Mr. F. M. CORYELL, Brewersville, Ind., says:

Cholera exists among both hogs and fowls in this section of the State, and has proved very fatal among both classes of animals, probably nine cases out of every ten having proved fatal. In the first stages of the disease, as it affects swine, the symptoms widely differ. In most cases a loss of appetite is first noticed. Sometimes the animal is constipated, while in other cases exactly the reverse may exist. No cure has

been found, and the only preventive of any value is to separate the sick from the well hogs at once, and give those not affected an abundance of salt.

The disease among fowls is equally fatal, the loss being about nine-tenths of those infected. Like symptoms prevail as in hogs, loss of appetite, followed by diarrhea which continues two or three days, when the fowl dies. No remedy has been discovered.

Mr. Z. T. MILLER, Raywick, Ky., says:

Hog-cholera is the most destructive disease we have to contend with here in Kentucky. It will attack a lot of, say, one hundred head of hogs, and in two or three weeks will not leave a victim to prey upon. The disease is more general and much more fatal in some localities than in others. A gentleman living in Nelson, an adjoining county to this one (Marion), has not had a case in a lot of two hundred head of hogs, while his neighbors have lost from three hundred and fifty to four hundred head. Why should this be the case? Perhaps feeding has something to do with it. Upon inquiry, I learn that the gentleman whose hogs have escaped the disease feeds cooked meal in which is mixed wood ashes, char and stone coal, sulphur, copperas, and coal-oil. This has been a successful preventive. His neighbors, who feed nothing but dry corn, have suffered severely. Dry corn is too stimulating, and produces fever. This is soon followed by loss of appetite, and the next symptoms are those of cholera. It is then too late to commence drugging them, as they are almost sure to die. However, a few might be saved if the sick were separated from the well ones as soon as the first symptoms of the disease were discovered. If hogs liable to infection were fed on cooked meal with the mixtures above named, I am inclined to think they would escape the disease.

A peculiar disease has recently broken out among the horses in this locality. Its first symptoms are observed in a severe stiffness of the joints of the animal, so much so, indeed, as to render him unfit for service. In a week or ten days his body will become greatly swollen, and he will break out in sores from which an offensive matter will be discharged. The disease does not seem to prove of a fatal character, but the horse is seldom worth anything after a severe attack.

Hon. DANIEL M. HENRY, Cambridge, Md., says:

From time to time I have heard of the diseases commonly known as "blind-staggers" in horses, and "hog-cholera" and "chicken-cholera," prevailing in localities of greater or less extent with great fatality, but they do not seem as yet to have produced a professional veterinary surgeon.

Mr. THOMAS STURGIS, of the firm of Sturgis & Goodell, cattle-breeders, Cheyenne, Wyoming, says:

Among cattle but one disorder is recognized by stockmen here. It is known as "blackleg." It occurs but seldom, and is confined solely to large cattle and yearlings. Its attacks are most frequent among fat cattle. It kills in twenty-four to thirty-six hours. The symptoms are stiffness of shoulders and chest, and swelling of legs from above downward. Recoveries are few, if any. No treatment has been found successful. The largest loss known was that sustained by Edward Creighton, of this Territory, who, some years ago, lost two hundred head of calves and yearlings.

Spanish or Texas fever is unknown here. The probable cause of escape is owing to the state of nature in which cattle live—absence of prepared food or shelter and extensive ranges, where they are widely scattered.

Horses have suffered greatly from an epidemic closely resembling the epizootic distemper experienced in the States two years ago. They grow very weak and the cough, and discharge at the nostrils. Some die. In most cases recovery takes place in three or four months.

Scab in sheep is known here, but the disease is not widespread. The remedy employed seems effectual, viz., a solution of tobacco used as a dip, and repeated until a cure is effected. A dip made of a solution of carbolic acid and water is also employed, as are other dips in which arsenic mingles.

Any remedies known to be valuable for diseases of poultry will be gladly received. The symptoms of commonest trouble are dull eyes, unwillingness to move, failure to eat, and death in about three days.

Mr. DANIEL CHAPLIN, La Grande, Oreg., says:

There is no prevailing disease among domestic animals in this county except that of scab in sheep. This parasitic disease has heretofore prevailed to considerable extent on the Pacific coast, but it is getting to be better understood and is now fast disap-

pearing under close watchfulness and timely remedies. I have had considerable experience with the disease, and have succeeded in exterminating it as follows:

First, I sheared my sheep very close, and peeled off all scabs or sores, and at the time of shearing I spotted every diseased place with a strong wash of corrosive sublimate and water. I then dipped them three times in a strong decoction of tobacco, using one-half pound of stem-tobacco to each sheep. The dip was heated to 120° F., and the sheep held in it at least two minutes. The dipping should be performed at intervals of fourteen days.

After several years of experimenting, I found this a sure remedy. Many other prescriptions were used, but without success. The sheep should be put on fresh pasture after dipping, and not allowed to run on the old one for one year thereafter. Scab is the only disease to which sheep are subject on this coast. Foot-rot and other diseases so prevalent in other localities are entirely unknown in Oregon. There is no prevailing diseases among other animals.

Mr. J. N. SMALLS, Scotland Neck, N. C., says:

We have but very few diseases among farm-animals in this section of the State, with the exception, perhaps, of the disease known as cholera among hogs. This disease assumes different forms or symptoms. Some are attacked with vomiting, and linger about one week; others lose their appetite, become sleepy, and their eyes become inflamed and exude an offensive matter. Cases of the latter class have been known to die within six hours after the attack was first observed. Many remedies have been tried, among others salt and ashes, tar, saltpeter, and bluestone. While some of these remedies have proved of value on one farm, on an adjoining one they have been found of no service whatever. The disease is not so prevalent as in former years, though it is, perhaps, more fatal. One farmer has lost sixty-three head out of a lot of sixty-five.

The disease among fowls is also called cholera. The first symptoms are drooping, loss of appetite, &c. They die within a few days. A lady friend has used calomel and opium with success. She administers it in small doses three times a day.

Mr. DONALD MURCHISON, Toulon, Stark County, Illinois, says:

For several years past the hog-cholera has annually been destroying immense numbers of hogs throughout various sections of this country. The probability is that $250,000 would not cover the losses in this county alone, since the disease first made its appearance. I am a farmer, and have been extensively engaged in hog-raising, and therefore have given the disease a great deal of careful thought and study, and I believe I have now found a sure remedy, if given in the first stages of the disease. The recipe is as follows:

Make a strong tea of smart-weed. After the weeds are separated from the solution, add one-eighth of a pound of arsenic and one-fourth of a pound of concentrated lye, and from one-fourth to one-half spoonful of flaxseed to the hog (according to the size of the animal). It is best to have the solution boiled over again after the flaxseed is added, or else have the flaxseed cooked in a smaller vessel and thoroughly mixed with the tea after the weeds are separated from it. Then mix a sufficient quantity of oats in the tea to soak it all up, and feed to the infected hogs night and morning as much of it as they will eat. Give them no other food for a week or ten days, or until they begin to show unmistakable signs of returning health, when this feed may be gradually lessened and corn given in its place, gradually at first, and increased as the other is diminished.

The flaxseed is not necessary unless the bowels are constipated, which is generally the case in advanced stages of the disease. Some farmers use salts when the bowels become constipated; but it is about the worst thing that can be given, as it is a blood-cooler and a blood-weakener. Although it may give temporary relief it prostrates the system, and in a few days the hog will be in a much worse condition than it was at first. The flaxseed is a good laxative, and at the same time is very nourishing and strengthening to the system. The lye seems to be a good tonic as well as a good remedy for cough in hogs. The arsenic also acts as a tonic; besides it kills the worms with which all hogs (with very few exceptions) are troubled. The smart-weed is probably about the best remedy for inflammation that we have. It is warming and strengthening to the system, and gives tone to and equalizes the circulation of the blood, just what seems to be needed, as the disease is a congestion of the lungs.

Mr. A. B. MCKEE, Vincennes, Knox County, Indiana, says:

There are but two diseases, so far as I know, that prevail as epidemics in this section of country, viz., hog and chicken cholera. The hog-cholera has become one of the most serious diseases with which the farmer has to contend. He may think he has a fine killing for the winter, but the cholera enters and in a few weeks he finds himself

left without enough for his own family supply. The disease presents so many different phases as to prevent me, with the little investigation I have given it, from attempting a complete diagnosis. A drooping of the head, loss of appetite, and an indisposition to move are among the first symptoms noticed. Sometimes there is a running off at the bowels, and sometimes constipation prevails; sometimes they die in a few days, and then again they may linger for weeks. I confess I do not understand either the pathology or the workings of the disease. As to the cures recommended, they are numerous, and generally based not upon a scientific analysis of the remedies prescribed but upon the vague conceit of the party recommending them; and then, again, all the different remedies in turn have proved failures. If Congress would do anything to throw light on this subject, and especially if a specific could be found, it would prove of incalculable benefit to the whole country.

I have used, and I have thought with some benefit, alum and Venetian red—alum as an astringent and venetian red as an absorbent. During the past summer, I have used poke-root, given in slop, in such doses as to secure its alterative effects, and as a preventive rather than a cure. From its known effect as a preventive in other diseases I have no doubt as to its beneficial effects in this.

Mr. W. W. Woodyard, Morristown, Shelby County, Indiana, says:

We have no disease affecting farm-animals in our locality, except cholera among hogs, or a disease making its appearance in many different forms, called cholera. In some cases the pig, when quite young, will become affected about the eyes, and partial or total blindness will follow in a few days. A high state of inflammation about the mouth and throat next makes its appearance. Perhaps 90 per cent. of such cases will prove fatal in from six to ten days.

In other cases the hog, at a greater age, will first show signs of inflammation about the ears and neck, the ears becoming sore, with a yellowish mucus making its appearance about the root of the ear. Very few of those attacked in this manner recover. Some will simply show a sleepy, sluggish appearance, refuse to eat, and usually die in from twelve to twenty-four hours.

Many remedies have been used, but the best informed men will say, almost unanimously, without the least benefit whatever. The disease is prevailing to a fearful extent in some localities at this time. The president of the First National Bank at Rushville, Ind., who has large opportunities of knowing, says that Rush County alone will lose $500,000 by this disease the present year. Our own county will perhaps be equally as heavy a loser.

Mr. James Ferguson, Ashborough, Clay County, Indiana, says:

For fifteen years, at intervals, what is known as hog-cholera has been very destructive among this class of farm-animals here. Personally, I have had but little experience with it. In some the symptoms are refusal of food, stupor, apparently nearly deaf and blind, constipation, and death within from one to five days. Others have vomiting and lax evacuations, of which seven-tenths die soon.

Of the cause of the disease I know nothing certain, nor have I heard a rational theory from our farmers. Various drugs are administered as long as the hog survives the disease and the doctoring. I know of no reliable remedy.

Apparently it is safe to assume that worms, and, possibly, other parasites on the digestive organs are the cause of most hog diseases. Hogs that have frequent doses of sulphur, copperas, turpentine, and arsenic, with free access to wood-ashes and charcoal are usually healthy, and almost exempt from cholera.

Chicken-cholera is not unknown among us, but I think its cause and remedy are alike unknown in this locality.

Mr. Lewis J. Reyman, Salem, Washington County, Indiana, says:

We have no prevailing disease among farm-stock in this county, except hog and chicken cholera, which has prevailed for quite a number of years, and is prevailing to some extent at this time. Two years ago this fall I turned thirty-five hogs of my own raising in a corn-field, and they fattened very fast for about three weeks. About this time I bought twelve head that were raised on low, wet, river-bottom land, about twelve miles from my own land. In a few days some of them were attacked with cholera, and two died. In a few more days those of my own raising took the disease, and nine of them died. The balance lost flesh for a time, but gradually recovered. I fed them sulphur and ashes, calomel, May-apple root, and a number of other remedies recommended.

There are various symptoms of the disease. In some instances they vomit and purge, and in others their lungs seem to be affected, and they are constipated. When the

lungs and bowels are affected they seldom if ever recover. Those that are attacked with vomiting and purging get well, and soon go to fattening again.

The same fall (two years ago) I had thirty pigs that were just weaned. They were taken with purging, and all died. I also had about thirty spring shoats that were affected in the lungs and bowels. They all died but four or five. Two lingered for some days and would not eat grain, but would drink a little milk. I concluded I would experiment a little with these, and I gave them each one tablespoonful of sulphur every morning in their milk for two weeks, when they commenced eating corn again, and gradually got well.

Mrs. L. J. REYMAN, of the same county, says:

Chicken-cholera has prevailed in this neighborhood for years, in a majority of cases proving fatal to the whole flock. Three years ago our fowls had it for the first time, and out of about forty hens and several dozen young chickens (that were hatched late in the season), I had but ten hens and a few chicks left. I tried several remedies, feeding them asafetida, Cayenne pepper, alum, &c., but do not know that they had any effect, as the chickens mostly dropped dead off the roosts in the night, being apparently well the day before.

About two months ago my flock were again attacked with the disease. Only six or eight died. A few of them dropped off the roost dead, and some lingered near two weeks, eating a little, but getting weaker until they died. A few recovered after being sick several days. I used nothing but a little cayenne in their feed and alum-water by them constantly, mixing their feed with it also. About the same time a tenant on another part of the farm lost about forty large fat hens and some turkeys. She saved about one-fourth of her flock, including the young chicks. I do not know what remedies she used, but I do not think she used any alum. This disease, for the last few years, has had a depressing effect on the market of poultry and eggs in this county, and we are needing a remedy badly.

Mr. DUNEHEW, Trinity Springs, Martin County, Indiana, says:

There seems to be no serious disease among any class of farm animals in the county now, excepting among swine. Mr. F. F. Sholts, an experienced farmer and stock-dealer, says in regard to lung diseases of hogs, that it begins with a cough, which increases for two or three weeks, and if not arrested by that time the lungs will be so decayed that death will ensue. The cough generally begins by a kind of snuffing, as if dust had been inhaled. At this stage, a few doses of his medicine will cure every case. The longer it runs the more difficult it is to cure. "The old-fashioned cholera,' he says, "puking and purging," is also readily cured by him, and if promptly handled' the cure is speedy and effective. He claims that if the medicine is given as a preventive no case will occur. Mr. Sholts will not make public his remedies, as he has persons now traveling engaged in selling his medicines.

Mr. W. DANIELS, Huntington, Huntington County, Indiana, says:

There is no disease among farm stock here, except cholera in hogs, and this is not so prevalent as in former years. No remedy has been found.

Mr. JOHN M. BARNETT, Somerset, Pulaski County, Kentucky, says:

Aside from hog cholera, our farm animals have been free from disease, except the usual amount of cholic and grub in horses. Our cattle have been entirely free from disease. My experience, as well as that of others in this section, is, that pine-tar given to hogs will act as a preventive in localities where hog cholera is prevalent.

Mr. J. B. MILLER, Hartford, Ohio County, Indiana, says:

We have in Southeastern Indiana a disease among hogs and chickens called cholera. It is sometimes very destructive among hogs. I have found the disease, by dissection, to be confined principally to the lungs. This soon produces a dry, scorching fever, which thickens the blood and causes death. The disease is caused by worms and an accumulation of dust in the lungs. It can be prevented by putting soap-suds in the slop-barrel and feeding them a quantity of it once or twice a week. Soap is a good remedy for worms, and also cleanses the bowels. I have cured several in the first stages of the disease with turpentine and coal-oil, using it in equal parts and giving three drachms once a day. I also rub it on the center of the back behind the shoulders once a day. If these remedies are properly used the disease need not be feared.

Hogs in the Western States do not have proper attention. Too many are allowed to sleep together, when they get overheated and die of thumps, which is also called cholera. If people would take better care of this stock, and use soap in slops as above recommended, hog cholera would soon pass away.

Chicken cholera is a disease of the liver. Only one cure is now in use in this county, which, if taken in time, is a specific. Take May-apple root and boil a weak solution. Add a teacupful to a quart of meal and feed. Corn lime is a good preventive

Mr. J. HARBISON, Charlestown, Clarke County, Missouri, says:

I would have answered your letter sooner, but I have been waiting to see some of my neighbors, one of whom has lost eight head of stock cattle in the last three weeks, but he could not tell me much about them, only that they were covered with ticks, that they would not eat or drink, and that they would stand for hours at a time with their heads to the ground, in which position they would remain until they died. The cattle were bought at the Louisville (Ky.) stock-yards by Mr. H. J. Crum.

I have lost some fowls from roup and cholera. Of the two diseases I dread roup the most, as it does not show as unmistakably as the cholera. A fowl with the roup will eat heartily, and to all appearances look well, until the disease will break out among the entire flock. They hardly ever die with it, but they lose their eyes and look so disgusting, that I generally cut their heads off as soon as I find them affected with it. In fact, that is my remedy for all diseases, especially cholera. Cholera usually shows itself by the fowl moping around, generally with a full crop, sometimes with nothing in its craw; will not eat, but drink often; the comb and wattles become a dark red—nearly a black color; the discharges at first are a pale green color, then dark green, and sometimes yellow, like the yolk of an uncooked egg. They are generally fat when taken, and seem to die sooner than when in a lean condition, I have sometimes found the fowls with their craws so full of dry grass that it would not pass beyond. By cutting open the craw and taking out this food, washing with warm water and sewing it up again, they will soon get over the disease and in a few days will begin to eat heartily.

Mr. JAMES A. LEE, Dowagiac, Cass County, Michigan, says:

Stock in Michigan is subject to but few diseases. Horses generally have the distemper when growing, which runs from one to two weeks. It commences with a slight cough, watering of the eyes, and loss of appetite. As the disease progresses the cough increases. The throat and jaws swell, gather and break, when the horse becomes unable to swallow, and dies of suffocation. The disease will yield to mild treatment such as sweating of the head and throat with bitter herbs, viz: wormwood, catnip, hops, &c., and smoking the head with sulphur and old shoe-leather. Take a ball of good sweet butter as large as an egg and put it down the horse's throat twice a day. Give mild physic if the case needs it, and keep the horse warm.

The most common complaint among horses is cholic. The symptoms are extreme uneasiness. The horse paws, lies down and rolls, gets up and lies down again, groans, begins to bloat, and continues in this way until death ensues unless relieved. This can invariably be effected, if taken in time, by a dose of one-half pint of salt dissolved in a quart of water. It should be administered every ten minutes until relief is afforded, which generally occurs after the third dose.

Worms of different kinds affect the horse and are very troublesome. The symptoms are tight skin, rough coat, irregular appetite, and the appearance of a yellowish mucus under the tail. The horse lifts one hind foot to the belly, draws himself up, partly lies down—perhaps entirely down—on his belly, gets up immediately and goes to eating, stops suddenly, and does the same thing over again. Give a common tablespoonful of copperas in a ball, followed by a bran-mash once a day until relieved; then give a light physic or turn to grass.

We have nine head of cattle affected with horn distemper to one affected with any other disease. I am well aware that there are many learned men who say there is no such disease, yet I know by forty years' experience the truth of what I write. The animal has a staring look and a yellowish deposit in the corners of the eyes and the nose, grinds its teeth, hair stands up, tail soft two or three inches from the end, bowels varying from costive to laxative. This continues sometimes for years, and is attended at times with loss of appetite and strength. The pith of the horn decays and is discharged at the nose, and finally the membrane over the brain gives way and death ensues. Cure: Cut two inches off the end of the tail to start the blood, and the bone will be found lacking. Take one-half pint of sharp cider vinegar, put in a teaspoonful of black peper and same of salt; dissolve well. Then take the animal by the horn and nose while some one injects one-half gill of the liquid in each ear. It very bad, so that the animal is down, bore the horns with a spike-gimlet, and inject some of

the liquid with a syringe. Give a tablespoonful of copperas and saltpeter in a ball or mash every day for a week, then every other day for another week. Sometimes a cow will be in full flesh and drop a calf in midsummer, give plenty of milk, and do well for a few days; the next day give no milk, and perhaps not be able to get up at all. For this trouble give the above treatment, with an occasional slice of fat pork. Let the chill be taken from the water she drinks, and a cure will be effected. Garget is a very troublesome disease in milch cows. The cow becomes feverish, the udder especially. Sometimes the milk will be streaked with blood, and again appear lumpy, or both. Wash the bag with bitter herbs steeped in vinegar. Give a tablespoonful of poke-root, pounded fine, in a bran-mash, twice a day. Also, insert a seaton in the brisket with a piece of poke-root.

Hog cholera is increasing to an alarming extent. The first symptom is generally observed in the animal carrying his nose near the ground, with a generally dull appearance, slight cough at first, and swelling under the throat. Some are first taken with severe purging. All these symptoms increase in intensity until death ensues, which usually occurs in from twenty-four to thirty-six hours. No cure has yet been found. Strong wood-ashes and copperas are regarded as preventives. I have cured some by drenching with copperas, sulphur, and asafetida.

JAMES C. DUSTAN, V. S., Morristown, Morris County, New Jersey, says:

The appearance in this section of a new and unusually fatal disease among horses has prompted me to report to you some of the facts connected therewith. It may be more common in other parts of the country, but here it is new to our profession. The first case occurred about the middle of last month in the adjacent village of Madison, and up to the present time twenty-one horses have been attacked by the disease in that place. Of that number eight were under my professional care. Four of these have died and the others have recovered. Of the remaining thirteen, only one has recovered. The disease is of short duration, lasting, in the cases that prove fatal, from two or three days to one week. The general symptoms are as follows: For the first day or two the horse seems inclined to droop, and, without any apparent cause, acts tired. Then a difficulty in swallowing is noticeable, which increases as the disease advances. The fever is high; obstinate constipation of the bowels, and almost complete suppression of the urine, the latter fact being ascertained by means of the catheter. The manner in which the act of swallowing was effected made it clear to my mind that the inability to do so was caused by a partial paralysis of the muscles of deglutition. Generally, when the horse lies down, he is unable to rise without assistance. There is also a marked tremor in the left fore shoulder, and, although not constant, has been noticed by me in all the cases I have seen. Post-mortem examinations in four cases have disclosed the following anatomical lesions: The most prominent is an intense inflammation of the larynx, extending for some distance down the trachea. The kidneys were found to be in a state of congestion, and in one case considerably hypertrophied. There was also found inflammation in the nasal fossæ, but more particularly in the left. The brain, œsophagus, and spinal cord were found in a state of perfect health, as were also all the other organs of the body. I regard the disease as one of blood-poisoning, introduced into the system from the atmosphere, and, as far as I have been able to ascertain, it resembles in a striking degree diphtheria in the human being.

My treatment consists, first, of a blister of cantharides applied to the larnyx region, and kept open for several days by mild mercurial ointment; dry cupping over the kidneys; the administration of linseed-oil as a laxative, aided, if necessary, by injections, and the following prescription given every four hours, viz: five drops extract of belladonna, one ounce of water, and one-half drachm of iodide of potassium. This is for one dose.

To the above prescription was added, for fever, tincture of aconite, and after a day or two, dropping the aconite, I gave quinine sulph. grs. x, every three hours. The use of iodide of potassium should be continued until the functions of the kidneys have been fully restored. I also found benefit from the free use of chlorate of potash. The diet should be of the most nourishing kind, and by every possible means the strength of the animal should be supported. As a drink, hay-tea is preferable to plain water. But the best treatment I could give, together with careful nursing, shows as a result a fatality of 50 per cent.

Hon. A. L. PRIDEMORE, Jonesville, Lee County, Virginia, says:

The hog cholera has been among us for years. It was first brought here by drovers from Kentucky. It prevails to a greater or less extent every year; some years killing all (or nearly all) the hogs in some neighborhoods. I have known instances where three hundred head of hogs were turned in upon corn-fields, the usual mode of feeding here, say August 20, and by the 1st of September the disease would break out and

they would die at the rate of eight or ten daily, until, perhaps, there would not be twenty hogs left. Some of the diseased animals would pine away and dry up, as if with a fever; some would die with spasms; in others, the flesh would, so to speak, rot and slough off to the very bone; a foot, ear, tail, or nose drop off. Some would have symptoms like a person with violent vomiting and purging. These rarely ever recovered with us. This year in this county the disease, thus far, has been very mild.

Poultry are subject to a disease also called cholera here. They drop off the roost dead, and fall over suddenly in the day-time. Sometimes the disease will kill all the fowls on a farm at the rate of eight or ten per day. No remedy has ever been found for either of these diseases. Their causes are wholly unknown to us, though there are many conjectures.

Mr. A. C. Ellis, Hartford, Van Buren County, Michigan, says:

Hogs have been affected with various diseases in this locality. The disease commonly known as cholera is, perhaps, the most fatal. Its duration is generally short, fatted hogs usually surviving but a few hours. The remedies have been various and generally unavailing, so far as my own information extends. As the result of frequent experiments I am prepared to give, as the most effective remedy I have ever seen tried, a simple receipt furnished me by one of the largest hog-dealers in this county. It consists of one pound of lime, one ounce of spirits of turpentine, and one-half ounce of pulverized saltpeter, mixed with soaked corn or slops. This amount is sufficient for twenty hogs, and, for a cure, should be given every other day; as a preventive, about twice a week.

There is also a fatal disease among hogs here similar to quinsy, affecting the throat principally. It is genarally confined to young hogs. I know of no remedy. They usually survive from ten to fifteen days. At least 50 per cent. of the cases prove fatal.

No disease is common among sheep, save the old one, known as rot. Experience has proven that one of the best recipes for this trouble is the killing off or clearing out of the older ones of the flock, and frequent changing and crossing of stock.

Of the feathered tribe, chickens and turkeys are both subject to a disease known as cholera. The remedies used are various but unavailing. The duration of the disease is generally short; in fact, the attack is frequently instantly fatal. At least 90 per cent. of those attacked die.

Mr. S. Woodward, Ohio County, Kentucky, says:

There is but one class of animals in this locality subject to diseases which have been common for years, and that is swine. A great many of these animals have died of a disease called cholera. The symptoms are various. Sometimes the hog will be attacked with purging, and again extreme constipation will prevail. Sometimes the hog will die suddenly, and in other cases it may linger until it becomes a skeleton. On an average about one-half of those attacked with the disease die. There are scarcely any remedies tried, as we think they do no good. The disease is not confined to any certain season of the year. In this locality we have had none of it since January and February last, but we hear it mentioned as existing in other localities.

I am of the opinion that a great many hogs die from the effects of lice, especially those lingering cases. These vermin find them an easy prey in their weakened and emaciated condition.

Mr. G. H. Lucas, State Line City, Warren County, Indiana, says:

A prevalent and fatal disease among hogs in this locality is known as cholera. The first symptoms are running off at the bowels, which is generally accompanied by a hacking cough. The animal becomes stupid, and refuses to eat. As the disease progresses it becomes very poor and emaciated, and stands around with its body drawn up as if in pain. The disease usually proves fatal in from one to four days. The following remedy for the disease has been used with moderate success in this neighborhood, viz:

One pound each of sulphur and madder, one-half pound of saltpeter, one-fourth pound of antimony, and one ounce of asafetida. This should be mixed with a pailful of slop or milk, and three tablespoonfuls given once a day.

I am satisfied the disease is contagious, and all infected hogs should be removed from the well ones, and those that die should either be burned or buried very deep in the ground.

Mr. H. Shugart, Marion, Grant County, Indiana, says:

There is a very destructive disease among hogs here, called cholera, but in my opinion it is lung-fever. No remedy has been discovered that I am aware of. It is said that hogs do best, and are less liable to be attacked by the disease, that have clear, running water to drink, and are kept from a mud-wallow. This is a mistake.

as more hogs die from the disease that are kept along water-courses than among those that are kept at a distance from creeks.

We also have what is called cholera among fowls. Many of those engaged in raising poultry are of the opinion that most of the diseases among fowls are brought on by the presence of lice. A thorough and frequent wash of the coops and sheds with strong lime-water will soon cause the disappearance of this vermin. The boards of the sheds should be set upright, and the edges not allowed to touch each other; then, if the roosting-poles are smoothly shaven and the above wash frequently used, the fowls will never be troubled with lice.

Mr. GEORGE W. ADAMS, Leavenworth, Crawford County, Indiana, says:

There is no prevailing disease among farm-animals in this county at present, except among hogs, in which class an occasional case of cholera is reported.

Mr. JOHN K. BEVIS, Taylorville, Bartholomew County, Indiana, says:

I will give you my own experience with the hog-cholera, as it is called. It first made its appearance on my farm in September, 1857, when I lost sixty head. I examined quite a number, and found them all spotted on the belly, and the throat full of clotted blood. It appeared again on my farm in June, 1875, when I lost ninety head. The disease worked different from its course in 1857. Some would lose their appetite and dwindle away to mere skeletons before death ensued, while others would die in a few hours; some would squeal as if in great pain, and would soon die; others, again, would take spasms, which would last for some days, and then die. I used copperas, sulphur, madder, turpentine, antimony, coal-oil, in fact all the remedies that I could hear of, but without effect; at least, all that I doctored died.

Recently, I have come to the conclusion that the rooter on the nose was put there for a purpose, and have not rung or cut the nose of any swine since. I have no reason to complain, as my hogs have since done well.

As to chickens, they seem to all die on the roost, as they are found dead in the morning. Since I commenced giving them copperas and sulphur in their feed and water I have had very good luck.

Mr. ELIZUR SMITH, Lee, Berkshire County, Massachusetts, says:

My cows are more or less subject to fouls in the feet in wet weather. I make use of tar and spirits of turpentine, but if you have a better remedy I would be glad to have it.

Mr. C. A. ADAMS, Chillicothe, Livingston County, Missouri, says:

This year the diseases among swine have proved more fatal among young pigs and fat hogs, farmers having lost from one to one hundred head. The remedies are so various and unreliable that they are not worth mentioning. It is very doubtful, indeed, if a remedy ever will be discovered until the sanitary condition of the hogs is improved. The animals are affected in different ways—some purge and vomit, while others cough violently. Some refuse to eat, and soon pine away and die. As the disease is most fatal in large herds and in filthy surroundings, it would seem to the interest of the farmers to look to the natural cause; and, if possible, remove it by confining a less number together and keeping their surroundings clean. Feed charcoal freely, and on the first symptoms of a cough give one teaspoonful of red pepper to each one hundred pounds weight of the animal. Given in slop, it has proved very successful with me.

I have lost but few hogs since I removed them from the old straw-stacks, manure-piles, old sheds, and from under old buildings, where their quarters could not be cleaned out. A change of feed from corn will always prove beneficial among hogs when diseases are prevalent.

Poultry will come under about the same conditions as hogs. Too many are kept together, and too little attention is paid to cleanliness.

There is no veterinary surgeon here who has given any particular attention to diseases incident to hogs and chickens.

Mr. U. F. GLICK, Columbus, Bartholomew County, Indiana, says:

Hog cholera, the prevailing disease among swine in this locality, is generally caused by impurity of air, foul feeding, filthy pens, &c. The disease is soon banished by clean pens, pure water, and cleanly habits.

Cholera is also prevalent and very fatal among fowls. This disease is also the result of foul pens and improper feed.

Mr. A. M. SANDERSON, Leesburg, Kosciusko County, Indiana, says:

A friend of mine had a fine lot of hogs this fall, varying from pigs to fat hogs. He has lost nearly all of them by some disease, probably the cholera. They were on wheat stubble after harvest, and then on clover pasture. When first taken their evacuations were dry and hard. This condition continued about three days, when diarrhea would set in, and they would die within a few hours thereafter. Nothing was found to do them any good.

There is a new disease in this locality among horses, called by farriers pink-eye distemper. The horse, within a few hours after the attack, will become stone blind. Some get over it, while others only partially recover their sight. The eyes matter and run a great deal. The treatment thus far has been merely experimental—what would seem to relieve one would not benefit another.

Chickens in some localities have nearly all died of cholera. In my own experience I have found sulphur the only remedy. Mix with corn-meal and feed. With this remedy I have cured fowls that could not stand up.

Mr. O. W. HANNUM, Leavenworth, Crawford County, Indiana, says:

I have been dealing in stock in four or five different counties, and find all classes of farm animals healthy except hogs. A disease exists among this class of stock which carries them off very fast. Many people regard it as a malignant type of lung fever or pneumonia. I lost forty-five head of hogs by this disease one year ago. No remedy is known.

Mr. JAMES A. MARTIN, Salem, Washington County, Indiana, says:

I know of no disease among horses as fatal as the lung fever. I had one die with it some time since. It was taken with a hacking cough and difficult breathing, and lived seven days. I know of no remedy that I can recommend, for all die that are attacked by the disease here. This disease is not as common as the bots, but is more fatal. A lump of alum, the size of a walnut, given to a horse, will generally cure the bots.

The only disease existing among hogs is cholera, and there are various cures for it. Equal parts of sulphur and copperas, mixed in sweet milk, is the most effective remedy I have tried. Some have tried coal-oil, castor-oil, poke-root, and also patent medicine. None of these remedies, however, are regarded as a sure and permanent cure.

Chicken cholera is common among the poultry here. Soot mixed with corn dough is the best remedy we have tried.

Mr. J. D. GUTHRIE, Shelbyville, Shelby County, Kentucky, says:

Hog cholera, in its incipient state, with shoats and half-grown hogs, usually begins with constipation, a symptom easily discoverable by their droppings, which are hard and marble-like. This is followed by a dry, hacking cough and internal fever, which increases as the disease progresses. These symptoms are attended with a gradual loss of appetite. At this stage of the disease their movements become listless; they drop their noses toward the ground, and are shy of approach. The duration of these symptoms depends upon the severity of the attack. In some cases they continue six or eight days, and in others two or three weeks, with gradual loss of flesh until they look like walking skeletons. I refer now to the premonitory symptoms. After the disease becomes epidemic they frequently die within twenty-four hours after the first indications manifest themselves, without any regard to flesh or previous condition. In the latter stages of the disease they have a loose, discolored discharge, which soon terminates with thumps. This is a palpitation in the flank at the drawing of each breath. At this stage the disease is easily imparted to others, having become epidemic in form, and so fatal as to carry its victims off within a few hours. The remedies that prove efficacious in the first stages of the disease are worthless in the last. I would here recommend the removal of the diseased hogs from the rest of the herd, and the remedies hereafter mentioned given to the remainder. From my standpoint I am of the opinion that cholera in swine, in the last stages, is incurable, unless it be in isolated cases. I hold that constipation of the bowels is cholera in an incipient state, and whatever remedies would remove the cause the effect must necessarily follow. I speak only from my own experience and observation, which practice has fully demonstrated to be, in the main, correct.

I have been very successful in relieving my herd of constipation by giving one-half pound of calomel to fifty shoats, on corn moistened so that it would adhere to the grain. This should be repeated at intervals of twenty-four hours, until the bowels are opened by the medicine. Old bacon, grease, or linseed-oil will have the same effect, the only difference being that calomel will regulate the liver, while the others only relieve constipation. Grease or linseed-oil, if given in doses of one-half pint

cure thumps, which is the last stage of cholera in a constipated form. Hogs fed on apples, pumpkins, or following after cattle fed on corn, are not liable to cholera. A neighbor last spring purchased one hundred head of stock-hogs from the pens at Louisville, Ky. Soon after getting them home they commenced dying at the rate of four or five per day. He procured a large kettle and commenced cooking and feeding the dead to the living hogs. The result was that he saved sixty out of the lot of one hundred. Others have fed the dead carcasses of sheep, cattle, and horses to hogs affected with cholera, and the result was a cessation of the disease. Another acquaintance keeps his hogs well supplied with wood-ashes and salt, at the rate of two parts of ashes to one part of salt, which he says is a certain preventive. As all these remedies have the same tendency, namely, the opening of the bowels, we can consistently arrive at but one conclusion, and that is that the premises are correct and the applications act as an antidote to the disease known as hog cholera. I sincerely trust your inquiries may result in the discovery of something that will stay the further progress of a disease fraught with so much injury to the agricultural interests of our country.

The first symptoms of chicken cholera are observed in discharges of a thin, yellow nature, followed by an inclination to sleep, whether sitting or standing. These conditions continue until two or three days before death, and during this time the disease is very contagious. The most simple remedy is to give the flock water well impregnated with alum. This will usually stay the malady. The sick ones should be given a pill of pulverized alum the size of a small pea, inclosed in wheat dough. If the first does not produce the desired result, repeat the dose at intervals of a few hours. The fowl, when laboring under the disease, has a high internal fever and insatiable thirst, but no appetite or desire to eat.

Mr. JOHN Q. A. SIEG, Corydon, Harrison County, Indiana, says:

We have but few malarious or contagious diseases among farm-animals in Southern Indiana. Incident to the hog, we have what is known as cholera, quinsy, and measles. The cholera, in my judgment, is typhoid fever, and is very contagious. I have examined some hogs that died with what was called cholera. The symptoms seem, from what I have noticed, to be about as follows: First, prostration with dullness and stupidity; in most cases diarrhœa with chilliness and irregular fever. Subsequently there is an increase of the cerebral difficulties, dry skin, tenderness of the abdomen, particularly the sides of the same, an eruption of purple spots on the abdomen and thorax, and generally a cough. Usually, in eight or ten days, mortification of the bowels sets in, and the hog dies. Now and then a hog gets well, but it is an unusual occurrence. All remedies so far are failures. I would advise keeping all hogs inclosed and not permit them to run at large; then if a hog should become diseased, isolate it immediately. Before adopting this plan I lost a great many hogs, but since practicing it I have lost but very few, and what I did lose were infected from hogs lying around inclosures where mine were confined. I am therefore of the opinion that if this rule was adopted by farmers generally, that what is known as hog cholera would almost disappear.

Quinsy, I think, is the same disease as that which afflicts human beings, and requires about the same treatment. Measles never kills a hog, but if butchered while afflicted with the disease, the meat is unfit for use.

In sheep no disease except foot-rot prevails, and that only occurs in low, damp ground or by stabling in a damp, unhealthy shelter. As a remedy, the sheep should be removed to high, dry ground and separated from the well ones. Then take carbolic acid, weaken it with water, and inject the solution into the feet of the sheep every other day until a cure is effected, which usually takes from six to ten days.

Chicken cholera prevails to a greater extent than any other disease, and causes more loss. It is not confined to chickens alone, but affects ducks, geese, and turkeys alike. No remedies have been discovered that have proved of any benefit. I think good, clean, healthy apartments, with plenty of nutritious food and a good range, will greatly tend to prevent the disease. I have noticed that during the butchering season on the farm fowls are entirely free from disease, and I would infer from this that plenty of meat tends to prevent many of the maladies to which they are subject.

Mr. W. H. TROBINGER, Whitesborough, Tex., says:

Cattle are very healthy, except those imported from Missouri, Illinois, Kentucky, Ohio, &c. These are nearly all attacked with a fever within one or two months after their arrival, and at least one-half of them die. The symptoms are high fever, costive bowels, loss of appetite, and general listlessness. The duration of the disease is from one to two weeks. Remedies are various, but none very successful. Post-mortem examinations usually show signs of enlargement of liver and spleen, with inflammatory action of stomach and bowels. We have no reliable remedy.

Hogs have been very liable to disease for five or six years. Almost every disease that attacks animals of this class is pronounced cholera, but I have seen but few cases that

could legitimately be thus called. The symptoms of the majority of cases that have come under my observation seem to be something like the disease called "quinsy," swelling of the glands of the jaw. The duration of the disease is usually only a day or two. The remedies are such as calomel, scarification of the affected parts, nux vomica, and even strychnine.

We are very much troubled with disease among all kinds of fowls, which, I think, well named cholera. The symptoms are excessive purging of the bowels and loss of appetite. They die within one or two days. The remedies are as various as the whims of men. The most successful that have come under my observation are madder, carbolicum, calomel, and the mineral acids. Nitro-muriatic acid has considerable reputation as a preventive. Dose from one to two drops.

Mr. T. M. Scott, Melissa, Collier County, Texas, says:

All classes of farm animals are singularly free from diseases here. Occasionally a horse dies from blind staggers, brought on by carelessness in feeding unsound corn; very rarely one is lost by colic from eating unripe corn. With the exception of an epizootic some years since we have had no prevailing diseases among horses in this county for fifteen or twenty years. Native cattle are also free from any prevailing diseases. Aged imported cattle are very apt to die within the year they are brought here; it is not known from what cause. Cattle under one year old are almost sure to live and do well.

I have heard of cholera now and then among hogs, but could never trace it to a reliable source. There has been none to my knowledge in this neighborhood for twenty-five years. In some neighborhoods cholera prevails among chickens. This is the only disease known among fowls here. No remedy is known or used.

Mr. J. A. Applegate, Mount Carmel, Franklin County, Indiana, says:

The symptoms of hog cholera, so called, as given in the Agricultural Report for 1875, page 429, is better than I could give, and is an exact description of the malady which robs the country of millions of dollars annually. All other stock are exempt from any particular form of disease in this county, except fowls, which die of cholera, a disease which I am not able to properly describe, but which, on my farm, we have always counteracted by placing copperas in the drinking-troughs. It has not, however, proved a specific among my neighbors.

We regard hog cholera as very contagious and incurable. It may be prevented. It would be greatly lessened if swine were not permitted to run on the highways.

Mr. Nixon Henley, Monrovia, Morgan County, Indiana, says:

Among sheep we have a disease known as paper-skin, which has proved fatal in most cases. Scours is the first symptom of the disease. The sheep loses flesh and dwindles away very rapidly; the skin becomes thin and apparently rotten—at least it is very tender. The disease is more prevalent among lambs than among older sheep. Those attacked usually die within two or three weeks. No remedy has been discovered.

The all-prevailing disease among hogs is cholera. It is very fatal, the losses being at least 50 per cent. of those attacked. No remedy has been found that will do to rely upon as a certainty.

Among chickens there are several prevailing diseases, the most prominent and fatal of which is known as cholera. Roup and gapes prevail to a limited extent.

Mr. Charles Laramore, Knox County, Indiana, says:

A few cases of hog cholera have occurred in this vicinity recently, but the disease is so well known that a description is not deemed necessary.

There have also been a few cases of a disease known as "black leg" among cattle. The animal generally becomes affected in one or the other of its legs, is very dull, and does not seem desirous of moving about. The part affected is usually swollen, and on removing the hide, after death, the diseased part presents a bloody and almost black appearance. Sometimes a fluid substance is found beneath the skin, and the flesh is then of a yellowish or pale bloody color, and presents the appearance of jelly. Animals attacked with the disease generally linger from one to three days.

A few horses have died of a disease which puzzles the horse-doctors of this locality. It has generally proved fatal. The symptoms are a loss of appetite and wasting of the flesh without any apparent show of pain. The result is generally death within from two to six weeks.

Mr. B. I. VAN COURT, O'Fallon, Saint Clair County, Illinois, says:

The only disease among the farm animals in our section, that gives the farmers much concern, is that affecting our hogs. There is no other disease of an uncommon character affecting at present any other class of our domestic animals. There has been some Texas fever in a few exposed localities, but nothing serious, and no spread of the contagion. The effects of the catarrhal epidemic (epizootic) among our horses is very plain in the entailment of a disease resembling in many cases bronchitis. There have been some cases of this disease, when taken in its early stages, that have yielded to the usual remedies, and where the animals have been handled with proper intelligence; but where there has been neglect in early and prompt treatment the disease soon passed into a chronic stage, and thence from bad to worse until the lungs became involved, and a disease generated as dangerous and equally as contagious as glanders, and, indeed, very much like that fearful malady. On the discovery of those secondary symptoms the animal should be at once removed to some isolated portion of the farm, where contact with other animals would be impossible, or the animal destroyed at once, which, perhaps, would be best.

Our swine are affected by two apparently well-marked diseases. In one case the bowels are very much relaxed, and the stomach weak and unable to perform its functions. This disease is called hog cholera. It can be cured, and will yield to the usual remedies if taken in its early stages. The other disease is exactly the reverse. Instead of a relaxed state of the bowels, there is a stubborn constipation and very high fever. The animal is droopy in the early stages of the disease; it lies around in isolated places and is hard to arouse; but at this stage it can be induced to eat, and if proper remedies are immediately administered the disease can be controlled. However, if neglected, death closes the scene in about ten days.

In 1874, my hogs (Black Berkshire breed) became affected with the disease. I had twenty head, twelve of them being about eighteen months old, and the others about ten. They were running in a wood-pasture in which there was a very heavy acorn mast that season, upon which diet they seemed to be doing well, and it was my intention to let them run there until about the middle of October and then put them up to fatten. About the tenth of October I found some of them sick. I drove them up home and gave them some corn, of which but few of them would eat. I separated the sick ones and turned the others out into the pasture again. I discovered that the hogs had high fever, and were laboring under a very costive state of the bowels. I noticed their efforts to evacuate, but with the most scanty results. Indeed, the bowels seemed almost totally obstructed. They had a hacking cough also, which is always a dangerous symptom in all hog diseases.

I concluded that the main trouble, or a very patent cause at least, was the obstructed condition of the bowels, caused by the stringency of an exclusive acorn diet. I put up one hog in the pen for treatment, after all efforts had failed in inducing them to eat.

I drenched the hog I had in the pen with common epsom salts, without any effect. I then repeated the dose, which soon produced the proper result. The animal seemed to be very weak—it could not stand upon its feet. I then gave it a decoction of Peruvian bark, calumba root and a little paregoric. This seemed to strengthen and quiet the bowels. After the animal had rested a few hours and had somewhat recovered from the effects of the severe purging, I gave it some corn-meal mixed with milk, made quite thin; but I had to force it down its throat. The hog soon began to revive. I gave it corn-meal and milk and added a little sulphate of iron, of which it would eat. In a few days it was well, and required no more extra care. The other hogs all died. I would here state that I have had no disease among my hogs since, but I attribute it to the fact that I have given them pulverized sulphate of iron about twice a week, mixed in corn-meal or bran mash, during the fall season.

In conclusion I would state that I will always believe that the constipated condition of the bowels was a prominent predisposing cause in the development of this disease, while malarial influences were acting at the same time. There are evidences abundant, to me at least, that the malarial condition of our atmosphere, particularly in the fall season, has much to do with diseases of farm animals, in this locality at least. When the immense growth of vegetation has attained its highest degree and begins to decay, there are miasmatic conditions of the air that not only very seriously affect human life, but animal life as well; and while we are aware that the internal organism of the hog comes nearer to that of the human than any other animal of the farm, I cannot see why they would not be affected with like conditions of the atmosphere. Permit me to call you attention to another fact which, I think, is well worth consideration, viz: There are but few, if, any, of the diseases common among our hogs found north of what may be termed the malarial line, say 43° north latitude.

Mr. T. H. COLLINS, Paoli, Orange County, Indiana, says:

There is no disease which affects farm animals in this section except that generally known as hog cholera, which is very prevalent. The animal affected first refuses to

eat, appears restless, and after the first day becomes stupid and inclined, when let alone, to lie in its bed; is feverish, and appears to be afflicted in much the same way as a human being suffering with typhoid fever. About one-half of those affected die. The others improve very rapidly after the disease is worn out, which takes about two weeks. There is no known remedy. Some practice feeding fresh meat, which in a few cases, is reported as having proved beneficial. A change of location has, in nearly every instance, produced a cure. I have, for the past ten years, been surrounded on all sides by the disease, yet have had no case of this or other maladies among my hogs. I attribute this to the fact that my hogs have had good care and plenty to eat, a *clean* bed and large range, and pure water to drink, with an abundance of skim-milk and other refuse from the dairy, together with a feed of refuse from the slaughter-house once a month.

Mr. M. W. WILMETH, McKinney, Collier County, Texas, says:

Among horses, we have all the old diseases known to farriers, such as botts, colic, &c.; but our most fatal local disease is known as blind staggers. An attack of this disease, on an average, lasts about twelve hours. The animals, so far as my observation enables me to judge, always die of the disease. Boring into the lower part of the forehead, between the eyes, has been tried, but without success. All other remedies have alike proved abortive. Spanish fever also prevails at times. The animal has fever and is much affected in the loins; lingers sometimes months before dying. In some cases the disease is cured by bathing the loins in strong brine. This disease is not so common as formerly.

We have, among cattle, the common diseases known as bloody and dry murrain, both of which may be cured by purging the animal with rhubarb. This disease proves very fatal unless attended to in time, say within twenty-four hours after the attack. We have, also, what is known as Spanish fever. The animal is taken with a high fever and much affected in the loins, and has short breathing. Cured by using a strong tea made of Jamestown weed, either of the seeds or leaves, and drenching the animal with a quart.

We have had cholera here recently among our hogs. It is a thing of late date with us and is always fatal, as no cure has as yet been discovered. We also have among our hogs a kind of lung fever, which is very destructive. It makes its attack like Spanish fever among horses and cattle. Some cases have been cured by the use of calomel and arsenic.

Among fowls we also have what is known as cholera, though this name seems to be applied to all diseases among chickens. Alum, copperas, &c., are used with some effect.

Mr. SAMUEL WARMOTH, Princeton, Gibson County, Indiana, says:

The only animals affected with diseases in this county this year, or for several years past, are the hogs. The disease is known as cholera, and has this year carried off at least one-half the hogs in the county. Young pigs are generally the first to be attacked, and very often they all die. Then it attacks the older hogs, and, as a rule, half of them die—sometimes more and sometimes less.

The disease does not act the same in every case. Some of them are severely purged and lose their appetites and refuse to eat. Some die suddenly, while others will live for weeks moping about without eating anything. Some of them will lose a portion of their flesh, which falls off the bones while they are yet alive.

Farmers have different ways of treating the disease, but I believe there is no cure after the malady has passed a certain stage. I think it is brought on by worms, and therefore, if the worms could be kept out of the hogs they would not be liable to the disease. Salt and hickory ashes, with sulphur and copperas, will be found good preventives. Any one who will find a sure cure or preventive will deserve the thanks of the American people.

Mr. J. D. MCCLANAHAN, Falmouth, Pendleton County, Kentucky, says:

The best preventive that I have tried for hog cholera is soda-ash and barilla. I give a tablespoonful of this mixture to every six hogs. The way to prepare the mixture is to put the drugs in a kettle, add two or three gallons of water, heat until the medicine is dissolved, then make bran mash with the water. One dose a week is sufficient to keep hogs in a healthy condition; however, last fall I found it necessary to give my fattening-hogs a feed of this kind every day, for the reason that some of them showed continued symptoms of disease. I lost but one out of thirty-three, and that one died the same day that I put them up to fatten.

n County, Kentucky, says:

s by cholera. I removed the re-
pasture, supplied with a creek
pasture having no water in it.
ted with the disease. I gave
n six pounds of salt well stirred
l-ashes every seven days. They
those eighty-five head did after
ailing on adjoining farms to
r lice or nits on them I wash
once in ten days until all ap-
se soft soap, diluted with hot
he head and neck of the hog,
ut the lice. With this treat-
hogs. I salt regularly every
ounds of salt stirred and well-
strong wood-ashes to each one

. Tennessee, says:

ocality is a kind of distemper,
. In fact I am of the opinion
ver ground covered with their
fels by others. As a remedy,
For a severe case of snoffels
nostrils with a syringe, will
s rarely necessary; but should

d with is that of cholera among
As preventives, bluestone and
ion is made by dissolving one
a bran or meal mash and feed
dded to make it palatable. If
e given twice a week, as it will
Once every ten days is often

of equal parts of tar and lard,
ll soon free the animal of ver-
f turpentine into their wallow,

used alum and sulphur, both as a
e-fourth of a pound of each in
n two weeks, and oftener if the
an abundance of fresh lime about
t trouble.

o County, Indiana, says:

lance of mast, and consequently are
spring of quinsy. Since locating
r freely as a preventive of disease
xtensively used as a preventive of

w miles northeast of here, but an in-
be attended with some expense, which
our. If the government will pay the
ade. Your proposed investigation de-

r County, Texas, says:

r in this vicinity are remarkably healthy.
handful of alum in their watering-troughs

nt, Ohio County, Kentucky, says:

The first is weak eyes, which seems to
amend more care in breeding. T

ond is fistula, which is an ulceration of the top of the withers, caused by a hurt or bruise of the main sinews of the neck where it joins the top of the shoulders. This disease is not necessarily fatal, though it requires a great deal of care and nursing after it has commenced running. There are various remedies. Some veterinarians burn with soft soap and whisky before the pus has formed, while others rub with turpentine and warm in with a hot iron. After the fistula has commenced running, a liniment made of May-apple root is the most effectual remedy. It should be used two or three times a day, with repeated washings with soap-suds. The third is tetanus or lock-jaw, which is a fearful disease. The horse, when taken, shows a very restless disposition; the head protrudes forward; the eyes roll back and seem to sink in the head; the hind feet are drawn under; the tail is extended, while all the muscles seem drawn to their utmost tension; some fever, with short and hurried breathing. It is caused sometimes by a hurt and at other times by overheating. Full 75 per cent of the cases end fatally. The attack is of short duration, lasting only from two to four days. We often bleed freely from the neck vein, which, in cases caused by overheating, is sometimes effectual. In cases caused by a hurt I am of the opinion there is no remedy whatever.

With the exception of a few cases of abortion in cows, cattle and sheep are generally healthy.

Hogs are affected with a lameness which seems to be a forerunner of the cholera. They become lame in one or more of their feet; have ulcers on their joints, which last in some cases twelve months. Some have sores at every joint and finally get well and make good hogs. We have no remedy.

I have known some instances of chicken cholera where all the fowls on a farm have died. They fall from their roosts and die during the night. Like cholera in the hog, there seems to be no remedy.

The following elaborate paper on the "epizootic and enzootic diseases of swine," commonly known as "hog cholera," is from the pen of Prof. H. J. Detmers, V. S., Bellegarde, Kans.:

It is well known that some very fatal and destructive diseases of an epizootic and enzootic character have been, and are yet, prevailing among swine in several parts of the Mississippi and Missouri valleys. The farmers, not understanding the morbid processes, and not knowing or rather not seeing the causes which produced the mischief, and finding the diseases to be very malignant and epizootic (affecting many animals at the same time), bring them all under one head and give them the rather strange and decidedly improper appellation of "hog cholera," a name which has wrought a great deal of mischief. It conveys the very erroneous idea that the disease or diseases so called must be identical with, or at least similar to, the cholera of men, consequently very contagious, and a product, not of common and local, but of very uncommon and extraordinary agencies and influences. As a natural consequence, the real causes, although near enough at hand, are overlooked and entirely disregarded, or considered as something innocent or out of the question; and improbable, imaginary, and unknown or mysterious influences and agencies are looked upon as the possible causes. As a further consequence, almost every one who suffers losses, instead of looking the facts squarely in the face by investigating the causes, endeavors to discover specific remedies which do not exist and can never be found. Even State legislatures have offered high premiums for such a discovery. All this diverts attention from the existing facts as revealed by the morbid process and by the morbid changes found at *post-mortem* examinations, which prejudices the minds of a great many observers.

About a year ago I spent (at the request of the Missouri State Board of Agriculture) nearly a month, from August 11 to September 4, in several counties of Missouri for the purpose of investigating those diseases of swine known to the farmers as "hog cholera." I examined several hundred sick animals in the counties of Jackson, La Fayette, and Saint Charles, and made, during the time mentioned, almost daily *post-mortem* examinations, not only of hogs that had just died, but also of animals affected with disease in every stage of development, which were killed by bleeding for that special purpose. The premises on which the diseased animals had been kept were carefully examined, and the care and treatment which they had received before getting sick, and the manner and manner in which they had been kept, were ascertained by diligent inquiry and observation. Hence considerable material, sufficient to form an opinion as to the nature and real causes of the disease, or rather diseases, was collected.

Before I proceed further I wish to remark that I intend to restrict my report or communication to what I have seen and observed myself, knowing very well that such other diseases of swine, such, for instance, as various forms of anthrax, and even morbid affections caused by the presence of intestinal worms, are also called hog cholera by a great many farmers, and—one should scarcely believe it, but it is true—by a large number of agricultural papers.

Intestinal worms are a very common occurrence in an omnivorous animal like a hog, but the same, if *trachina spiralis* and *cysticercus cellulosæ* (the well-known bladder-worm of *tænia solium*) are excepted, seldom cause very serious damage, provided the hog is otherwise healthy, and is well kept and well fed. As to anthrax diseases, I do not think they are very frequent in the West; at any rate, I have had no occasion to observe any of the various forms of anthrax plainly developed in swine since I have lived in Kansas (nearly five years). Excluding anthrax diseases, and disorders caused by intestinal worms, I have said that *diseases* (more than one) are called hog cholera, because the symptoms of disease, and especially the morbid changes found at the *post-mortem* examinations, differ so much in different patients as to make it impossible to assign them all to one and the same disease. Still, as the morbid process is essentially the same in every case, and the differences presented are mainly due to the fact that the seat of the disease is sometimes in one organ, or set of organs, and sometimes in another, the diseases may be considered as closely related to each other, and, from a practical standpoint, it may be advisable to treat the same as members of one family, or as different forms of one and the same morbid process.

THE NATURE OF THE DISEASES.—In a majority of cases the morbid process presents itself as a catarrhal-rheumatic, and in others as a gastric-rheumatic, or bilious-rheumatic inflammation, and exhibits always, more or less plainly, a decidedly typhoid character. As a catarrhal-rheumatic inflammation it has its principal seat in the mucous membranes of the respiratory passages, in the substance of the lungs, in the pulmonal pleura, or serous membrane coating the external surface of the lobes of the lungs, in the costal pleura, or serous lining of the internal surface of the chest, in the diaphragm, and in the pericardium or serous sac inclosing the heart. As a gastric-rheumatic inflammation the principal seat of the disease is found in the abdominal cavity, but especially in the liver, in the spleen, in the large and small intestines, in the kidneys and ureters, and in the peritoneum or serous membrane lining the interior surface of the abdominal cavity, and constituting the external coat of most of the organs situated in that part of the body. The name of "hog cholera," therefore, as has been said before, is, in more than one respect, an ill-chosen one. It should be abolished at once, and a more appropriate one should take its place. As such an one I have proposed "EPIZOOTIC INFLUENZA OF SWINE," for two reasons:

First, the disease bears, in all its morbid features, and especially in the diversity of its forms, produced by the differences of the parts or organs which in different animals become the seat of the morbid process, a striking resemblance to the yet well-remembered epizootic influenza of horses, which, a few years ago, swept the whole country from the Atlantic to the Pacific. Still I do not wish to be understood as saying that the epizootic influenza of swine is identical with the epizootic influenza of horses. The resemblance, besides the epizootic spreading and the typhoid character, is limited to the symptoms and to the morbid changes. An important difference is presented by the greater malignancy of the disease of swine.

Secondly, a name derived from a conspicuous or characteristic symptom, or from an important and constant morbid change—pleuro-pneumonia of swine, for instance—might be more convenient if the main seat of the morbid process were always in the lungs and the pleura, or invariably the same in every patient; but, as the seat of the disease is not limited to the respiratory apparatus, but is also frequently formed in the parts and organs situated in the abdominal cavity, and sometimes even in the centers of the nervous system, a name should be chosen comprehensive enough to cover all the different forms in which the disease is able to make its appearance, and, at the same time, sufficiently distinct to prevent diagnostic confusion. Epizootic influenza of swine will, I think, answer the purpose.

SYMPTOMS AND MORBID CHANGES.—As the morbid process has its seat in various parts or organs of the animal body, the disease presents itself in different forms and manifests itself by different symptoms, so that, at any rate, besides other complications, two principal and two subordinate forms or varieties must be discriminated.

1. THE CATARRHAL-RHEUMATIC FORM.—This is the most frequent of the two principal forms. The morbid process has its main seat in the respiratory organs; the disease presents the features of a respiratory disorder, and either the catarrhal or the rheumatic character predominates, or both are equally developed. If the latter is the case, the whole respiratory apparatus may be found diseased. If the catarrhal character is the one most developed, the principal seat of the disease will be found in the larynx, in the windpipe, in the bronchial tubes, and, to a greater or less extent, in the substance of the lungs. If the rheumatic form is the predominating one, the principal morbid changes occur in the serous membranes of the chest (the costal and pulmonal pleura and the pericardium), and also to some extent in the tissue of the lungs. In most cases, however, the catarrhal and rheumatic character are blended with each other, and the respiratory passages, the tissue of the lungs, and the serous membranes, or portions of them, are more or less diseased. Animals affected with the catarrhal-rheumatic form indicate the presence of the disease by a short and more or less hacking cough—generally one of the first symptoms—by difficulty of breathing, a parting

or drawing motion of the flanks at each breath, by holding the head in a peculiar, stretched, and somewhat drooping position, by a slow and undecided gait, a peculiar hoarseness when caused to squeal, &c. The attending fever is severe enough to announce its presence by unmistakable symptoms, such as accelerated pulsation, changeable temperature, &c. Some of the sick animals show at the beginning of the disease a tendency to vomit, and have diarrhea, while others are more or less constipated from the first, and remain so until the disease is ready to terminate in death. If the catarrhal character is the most prevailing, but especially if the morbid process has developed principally in the throat and in the windpipe, more or less outside swelling (quinsy) will make its appearance.

At *post-mortem* examinations some important morbid changes are found invariably in the lungs. Portions of the same have become impervious to air by being gorged with exudation. The diseased tissue has lost its spongy texture—has become heavier and more morbid, and similar in consistency to a piece of liver, a condition called "hepatization." In some cases the diseased or hepatized parts of the lungs present a uniform red or reddish-brown color, an indication that the exudation has been produced and deposited in the tissue of all the diseased lobules at the same time, or without interruption. In other cases the diseased portions of the lungs present different colors; some are red, some brown, and others gray or yellowish-gray, which gives the whole hepatized part a somewhat marbled appearance, and shows that the exudation has been produced and deposited at different periods. The gray hepatization, which, in such a case, is the oldest, and the brown, which comes next in age, frequently contain a few tubercles, and even here and there a small ulcer interspersed. Otherwise neither ulceration nor suppuration has been observed. Important morbid changes are usually also formed in the serous membranes of the thorax. The same consist in a more or less firm coalescence between parts of the pulmonal pleura and the corresponding parts of the costal pleura, or of the diaphragm, and in an accumulation of a larger or smaller quantity of straw-colored water or serum in the chest. In some cases, especially those in which the rheumatic character has been very predominating, the morbid products of the diseased serous membranes are frequently very copious; the adhesion between the costal and pulmonal pleura, or between the internal surface of the walls of the thorax and the external surface of the lungs, is usually very extensive, and parts of the posterior surface of the lungs are sometimes found firmly united with the corresponding surface of the diaphragm, or membranous partition between the chest and the abdominal cavity. The quantity of serous exudation or straw-colored water deposited in the chest is often very large, and the pericardium, too, in most cases, contains a larger or smaller quantity, sometimes enough to interfere seriously with the functions of the heart, and to constitute in that way the immediate cause of death. The blood is found to be thin and watery in every case, coagulating rapidly to a uniform but rather pale-red clot of a loose texture. Its quantity is always very small.

2. THE GASTRIC-RHEUMATIC FORM.—This form presents itself not quite so often as the catarrhal rheumatic, but is fully as malignant, and constitutes the second main form which the disease is found to assume. The morbid process has its principal seat and produces the most important morbid changes in some of the organs situated in the abdominal cavity, but especially in the liver, in the spleen or milt, in the kidneys and ureters, in the intestines or guts, and almost invariably in the peritoneum, the serous membrane which lines the interior surface of the abdominal cavity and constitutes the external coat of nearly every intestine.

The symptoms which present themselves while the animal is living differ not very conspicuously from those observed in the catarrhal-rheumatic form. The short, barking cough, characteristic of the latter, is more or less wanting; the difficulty of breathing is less plain; the weakness in the hindquarters, and the staggering or unsteady gait observed only in a limited degree in the catarrhal-rheumatic form are more conspicuous, and the fever is fully as high in one form as in the other. In some cases the affected animals arch their backs, or rather the lumbal portion of the same, to a very high degree, and form an outline similar in shape to an ~. I observed this especially in such cases as those in which the seat of the disease was found to be in the kidneys and in the ureters, and in which a large quantity of serum or water had accumulated in the abdominal cavity. Animals affected with the gastric or bilious-rheumatic form are usually more or less constipated. The dung, which is voided in form of small, irregular-shaped balls or lumps, is often coated with a layer of grayish or discolored mucus, and has the consistency of shoemaker's wax. Toward the end, however—that is, if the disease has a fatal termination—the costiveness usually disappears, and is followed by a profuse and very fetid diarrhea, which may be looked upon in every instance as a forerunner of death.

The principal morbid changes, as I have found them, are as follows:

1. Degeneration of the liver, brought about by a copious exudation infiltrated into the tissue of that organ. Such a degeneration, although not a constant morbid change, is found quite often. In some (not very frequent) cases a few tubercles, and in others

(less frequent) even a few very small abscesses have been found imbedded in the substance of the liver.

Morbid enlargement of the spleen or milt. I found this change in nearly every case. In some cases the enlargement was not very conspicuous, but in others the spleen was more than three times its natural size, was perfectly gorged with blood, presented a dark or black-brown color, and was so soft that a very slight pressure with a finger was sufficient to sever its tissue.

In quite a large number of cases I found either one or both kidneys diseased and enlarged, and presenting an inflamed appearance. In one case both kidneys and both ureters exhibited a high degree of inflammation and considerable gangrenous destruction. The latter, however, was probably not a consequence of the disease; the animal had been drenched repeatedly with oil of turpentine, and was the only one in which I found any gangrene. In another animal, which, by the way, was already decrepit, and was killed by bleeding, I found one kidney enlarged to three times its natural size, its pelvis very much distended, and its funnel-shaped ureter dilated to an extent (where it proceeds from the kidney) as to present a diameter of nearly fibrous inch and a half. The walls of the ureter were very thick and callous, especially kidney-anterior, funnel-shaped end, and the latter contained in its interior a semi-solid substance, which occupied the whole cavity, and extended even into the kidney.

4. In some cases I found the membranes of the intestines or guts, but especially those of the jejunum or small intestines, the cœcum, and colon or larger intestines, and also of the rectum, in a more or less inflamed and degenerated condition. In two cases a whole convolution of the jejunum had united to an almost solid bunch. On opening the latter I found in each case all three membranes, but particularly the external or serous membrane and the internal or mucous membrane very much swollen and degenerated, the passage nearly closed, and in a small round in the center of the bunch one (in one case) and two (in the other) large worms (apparently *Echinorhynchus gigas*) imbedded. In another case I found, besides other morbid changes, a few round worms in the stomach, and in the mucous membrane of the guts or intestines a large number of callous scars, such as are usually left behind where the gigantic *Echinorhynchus* or hook-headed worm has been fastening itself. These three cases are the only ones in which I have found any entozoa or worms in the digestive canal.

5. In almost every case I found larger or smaller portions of the peritoneum or serous membrane, which lines the inner surface of the walls of the abdominal cavity and the external surface of nearly every intestine, swelled, more or less inflamed, and morbidly changed. In some cases even a coalescence between parts of the intestines, especially of the cœcum and rectum, and the walls of the abdominal cavity had been affected. In one case a part of the jejunum had become firmly united to the lower border of the right lobe of the liver, and in another the whole rectum adhered so firmly to the upper wall of the pelvis and of the posterior part of the abdominal cavity, that it required the use of the knife to effect a separation.

6. In every animal that had been affected with the gastric-rheumatic form I found a larger or smaller quantity of straw-colored water or serum, and small lumps and flakes of coagulated fibrine in the abdominal cavity; in some cases the quantity was quite large, and in others comparatively small.

As subordinate or complicated forms, I look upon such cases in which either one of the principal forms—the catarrhal-rheumatic or the gastric-rheumatic—is essentially modified by being complicated with an affection of the brain and its membranes, or with a serious disorder of the lymphatic system. Two subordinate forms, therefore, must be added.

3. THE CEREBRO-RHEUMATIC FORM.—The same, though always blended with and to a certain extent subordinate to, one of the principal forms, has been observed in a large number of sick animals. The latter, besides exhibiting all the symptoms of one or another of the two principal forms, shows also plain indications of a morbid affection of the brain. The same consists principally in partial or perfect blindness, a very staggering gait, and aimless movements in general. On opening the skull I invariably found more or less swelling in the membranes enveloping the brain, a larger or smaller quantity of serum deposited inside of the dura mater (hard or external membrane), the substance of the brain more or less softened, and the ventricles (small cavities) of the brain filled with serum. The other morbid changes found did not differ from those described under the head of catarrhal-rheumatic or gastric-rheumatic forms respectively.

4. THE LYMPHATIC-RHEUMATIC FORM.—The same, too, has been observed quite often, but always as a complication of one of the principal forms described—subdivisions I and 2. The whole morbid process presents a somewhat scrofulous character. The lymphatic system is plainly affected; tumors and ulcers, showing a scrofulous character, are found in various parts of the body, but especially on the gums. Hence there can be no doubt that such cases, although complicated and blended invariably to such an

extent with one or another of the main or principal forms as to make it impossible to draw distinct lines, have to be looked upon as a subordinate form with a sympathetic character. I have been informed repeatedly by reliable persons that in some of the sick animals cutaneous eruptions have constituted one of the most conspicuous symptoms of the disease. If this is a fact, it is possible that yet a fifth form has to be added—*erysipelatous*. Still I had no chance to examine such a patient, notwithstanding I have examined a large number of sick animals, exceeding, I should judge, one thousand. I am, therefore, not prepared to decide whether the cutaneous eruption is a product of the same causes or influences which are at the bottom of the other morbid changes, or whether the same is an independent disease, and merely an accidental complication.

It is probably not necessary to mention that all the morbid changes which have been described as the products or attendants of a certain form are but seldom found all a total in one and the same animal, as some of them are either usually missing or but little developed. Neither will it be essential to state that even the two principal forms of epizootic influenza of swine, leaving the subordinate forms out of consideration, are scarcely ever observed entirely independent of each other or without being in the least complicated with each other; that, on the contrary, the gastric-rheumatic and the catarrhal-rheumatic are not seldom blended with each other to such an extent as to make it very difficult to decide which one has to be considered as the most predominating. In each case the symptoms, too, are blended with each other, and morbid changes, frequently of equal importance, are found in both large cavities, in the chest and in the abdomen. These facts are easily understood by any one who is at all familiar with pathology and with morbid anatomy. The main or predominant character of epizootic influenza of swine is always rheumatic, and the principal seat is in the system of serous membranes which abound in every large cavity of the animal body. Serous membranes not only line the interior of those cavities, but constitute also the external coat of nearly every internal organ. Hence it is but natural that such a disease localizes itself in many different parts of the animal organism, produces in consequence different morbid symptoms, and causes different forms of disease. It is true that in some cases the disease exhibits a prevailing catarrhal character, but if it is taken into consideration that the causes of rheumatic affections and of catarrhal diseases are often essentially the same, and that not only the seat but the character of the disorder depends frequently upon an individual predisposition of the animal, a further explanation will not be needed.

THE CAUSES—To ascertain the causes has been my principal object. It was, therefore, necessary to observe a large number of cases, and to investigate the disease in different localities. This I have done, and have come to the conclusion that at least some of the causes, and I think I make no mistake if I say the most important ones, are of such a nature as to admit removal, notwithstanding they are diverse and numerous, and have their source, to a certain extent, in the manner of farming and stock-raising, or rather hog-raising, customary in the West. Although I will not deny the possibility of an existence of certain agencies of a miasmatic character, nor the possibility of a presence of a micrococci or other microscopic sporules calculated to act as a cause or to contribute in producing the disease, I must confess that if anything of that kind has been acting as a cause, it has escaped my notice. In the first place I had no microscope at my disposal, and secondly I have not been able to discover anything in the whole morbid process nor any morbid change that cannot be the product of those noxious influences which I consider as the main, if not exclusive, causes of the disease and which in my opinion are well able to produce every one of those morbid changes which I had an opportunity to observe. Those injurious influences or agencies which I am obliged to consider as the principal causes act in different ways, and, for a better survey, may be divided into three classes. As belonging to the first class I look upon everything that will interrupt or disturb the perspiration. In the second class I place all such noxious influences and agencies as interfere directly with the process of respiration. Finally, in the third class I put all such noxious agencies or injurious influences as tend to aggravate the disease if already existing, by aiding in making its character more typhoid, or which produce a special predisposition, by weakening the constitution of the animal.

1. *Injurious influences which act as a cause by producing an interruption or partial cessation of the perspiration.*—These influences are numerous, and of much greater importance than one who looks at them superficially may be inclined to suppose. The skin of an animal is a very important organ; it not only serves as a protecting tegument, but has also other vital offices which are scarcely of less importance to the existence of the animal organism than those of the lungs. The skin discharges through its pores a large amount of wasted material, and absorbs aeriform and liquid substances from the outside world. Consequently, it may be looked upon as an organ whose duty it is to supplement the functions of several other organs, but especially those of the lungs and of the kidneys. To ascertain the effect which a total interruption of the functions of the skin would have upon the animal organism, interesting experiments have been made by Bouley,

[agendie, Gerlach, and others. A complete interruption was brought about by cover-
ıg the skin of various animals with an air-tight coat of varnish, grease, or tar, and
ıe result, according to Gerlach, was as follows: Accelerated pulsation, extraordinary
ıllness of the arteries till an increased discharge of urine made its appearance, some-
'hat accelerated breathing, trembling of the whole body, rapid emaciation, great
ebility, augmented secretion of an albuminous urine, which latter contained also some
f the coloring matter of the gall, and a decrease of the animal temperature. The
ıtter, however, became not very conspicuous before the animal had become emaciated,
nd was near dying. The animals (horses) so treated died within from three to ten
ays. Pigs smeared all over with grease or fish-oil, for the purpose of killing lice,
ied within a week, and showed the same symptoms.

The office of the skin, at least as far as the processes of elimination and absorption are
ɔncerned, bears also a very close relation to the functions of the diverse serous and
ıucous membranes. It is true if the skin is disqualified to perform its allotted duties, or
' its functions are interrupted by some means, the same will be performed partially but
artially only by those organs named the lungs, the kidneys, and the serous and mucous
ıembranes in general. These organs, in such a case, have to make extraordinary efforts if
he equilibrium in the organic change of matter, so indispensable to the preservation
f health, is to be maintained only approximately. To maintain a perfect equilibrium
ı impossible, for these organs, as I have said, can, in addition to their own duties, only
artially perform the functions of the skin; certain parts of wasted material will not
e discharged, but will remain in the organism. The lungs, the kidneys, and the serous
nd mucous membranes, if I may use the expression, will be overburdened, and the
ɔnsequence will be that just those organs thus weakened will be the first ones that
ecome diseased, or have to suffer from over exertion, and from the injurious effects
ecessarily produced by a retention of wasted matter in the organism, and also by a con-
ıant loss of organic compounds that cannot be spared. That such loss is taking place has
een proven by the experiments of Professor Gerlach, which shows that the urine in such
case carries off albumen. Further, that an interruption of the perspiration must
ecessarily produce a disturbance in the circulation of the blood, which results in an
xtraordinary flow of blood to those organs—lungs, kidneys, &c.—burdened with
ıcreased activity, and constitutes in that way a cause of congestion and subsequent
ıflammation, is too evident to need any further explanation.

The perspiration can be interrupted, or, in other words, the skin can be disqualified
ɔ perform its functions by several means; for instance, by a disturbance or a partial
ıterruption of the circulation of the blood in the capillary vessels; by congestion and
ıflammation; by any degeneration or morbid change of its tissue, or of a part of its
ssue; by a closing of its pores in a mechanical way, &c. This granted, it remains
ɔ be ascertained if those pigs and hogs which are, or have been, affected with the
pizootic influenza of swine (erroneously called hog-cholera) have been subjected to
ne or more of those just named influences or agencies able to cause an interruption
r partial cessation of the activity of the skin (perceptible and imperceptible perspira-
ıon). Taking the facts just as they have presented themselves, that question must
e answered in the affirmative. My investigations and my inquiries have convinced
ıe that in all those pigs or hogs which have suffered from or died of that disease,
ne or more of those causes have been at work, as I shall endeavor to show.

1. All animals affected with the epizootic influenza—at any rate all those which I
ave seen, and I have seen a large number—were very lousy. Lice irritate the skin,
eep it in a semi-inflamed condition, cause swelling, and, finally, a gradual degenera-
ıon of its external layer—beyond a doubt constitute to some extent a disturbance of
ormal perspiration.

2. All the hogs and pigs which had contracted the disease had been exposed night
nd day to all the sudden changes of temperature and weather so frequent in the
Vestern States. Some of the animals had been kept in small, wet, and dirty yards and
ɔclosures, without a roof to protect them; they had to suffer during the day from the
ays of the sun, and from the heat which naturally accumulates in a small space or lot
ralled in by a tight fence, and which is constantly increased by the decomposition
f wet manure and other organic substances. During the night the same were exposed
o the chilling influence of the cold night air, and the frequently very heavy dews,
ıot to mention the effect of severe rains and thunder-storms. Further, after each rain
he animals thus kept had a chance to get the entire body covered with mud and the
ɔores of the skin thoroughly closed; but an opportunity to get rid of the dirt by taking
ı bath was never given. Such influences, evidently, are very apt to cause irregulari-
ies in the circulation of the blood in the capillary vessels of the skin, and an inter-
uption of the perspiration. Other animals have been kept in comparatively large
ıerds, and have been allowed to run at large in a barn-yard, in a so-called hog-lot, in
he woods, &c. These, too, were exposed more or less to the burning rays of the sun
luring the day, and at night, in most cases, they found shelter under a corn-crib, under
ın old stable, or an old barn—at any rate in the closest and dirtiest places, where they
acked room, and where they often crowded on top of each other when retiring to

sleep. As a consequence the animals became heated, and, perspiring, as they left their lair in the morning took cold on coming in contact with the chilled atmosphere. A sudden cooling, however, or a sudden reduction of the temperature of the surface of the body is apt to effect a contraction of the capillary vessels of the skin, hence a diminished supply of blood, and, in consequence, a decrease or partial interruption of the functions of the skin.

The animals, thus suddenly cooled by the morning air and the wet dew, become, in the course of the forenoon, again exposed to the rays of the sun and the heat of the day, which induces them to go to the first pool of water, if one is accessible, to take a bath. This is all right and well enough, because in the summer a hog should have access to water and an opportunity to take a bath as often as it desires. In all those places, however, in which the disease had made its appearance, I found the water to which the hogs had access almost invariably so shallow and of such a limited quantity that the bathing and wallowing of one or more animals was sufficient to convert the same into sticky, semi-fluid mud. Consequently, if the herd was a large one but a very few animals—and those invariably the stronger and most active ones—had now and then a chance to find clear water, and to reap real benefit from taking a bath. All others, especially the younger and smaller animals, were compelled to wait until the first comers were through with their bathing and had changed the water to mud: the former, therefore, had scarcely ever an opportunity to clean themselves from the mud of the preceding day, and to open the pores of their skin by taking a bath in clean water. If they wished to take a little cooling they had to be satisfied with taking a mud-bath, and as every new bath was a mud-bath again the pores of the skin, instead of being opened, became closed more and more effectually from day to day, until finally the perspiration was thoroughly interrupted, and disease made its appearance as the natural result.

It is different where the herd is a small one, for then nearly every animal will sometimes have a chance to open the pores of its skin in tolerably clear water, and the perspiration will not be seriously interrupted. That these deductions must be correct is proved by the fact that in every large herd nearly all the younger and weaker animals (shoats) have become a prey to the disease, while the larger or stronger and most active animals, which are usually the first ones to go to the water in the morning, while it is measurably clear, have either remained exempt or have contracted the disease in a mild form, and have mostly recovered. Finally, small herds have either suffered fewer losses, have been less severely attacked, or have remained exempted altogether. The injurious effect produced upon the system of the animal by the muddy and filthy condition of the water, which most animals so situated have been compelled to drink, will be explained hereafter.

2. *Agencies and influences which interfere directly with the process of breathing.*—These, too, as already indicated, are of different nature. When I first commenced my investigation it struck me that all those swine—pigs, shoats, and grown hogs of every age and description—which run at large in the streets and thoroughfares of Kansas City, Westport, Independence, Lexington, and other towns and villages, and lead the most independent life possible, but do not congregate—go home in the evening, and belong to persons who own but one, two, and maybe three animals; as also all those swine which are kept by themselves, either one by one or only a few together; and, finally, all those which are kept in comparatively small herds in pastures, orchards, or woods, coated everywhere with grass and perfectly destitute of dusty, bare ground and old manure-heaps, are and have been, with rare exceptions, perfectly healthy. I say with "rare exceptions," for it has been reported to me that a few of those swine running at large in the streets have died, but I have not been able to ascertain the causes of their death.

On the other hand, the herds which have been kept in yards, pastures, fields, &c., consisting partially or wholly of bare, dusty ground, or containing heaps and accumulations of old manure, have and are suffering severely, and the more according to the size of the herd and the worse the dust of soil and old manure. In large herds, composed of one hundred head or more, the mortality has been as high as from 70 to 90 per cent.; in smaller herds from 25 to 60 per cent., and where only a few animals were kept together, and consequently each animal was only compelled to inhale the dust kicked up by itself and occasionally by one or two others, the mortality has been comparatively low—has seldom exceeded 10 per cent., or fatal cases have not occurred at all. Further, in all those cases in which the hogs or pigs had been compelled to inhale with nearly every breath a large quantity of soil and manures, ground to powder by rolling, tramping, and the rays of the sun, all the *post-mortem* examinations revealed as principal morbid changes a morbid affection of the eyes, inflammation of the respiratory passages (throat, windpipe, bronchial tubes), hepatization of the lungs in various stages of development, and, in some cases, even tubercles or a few small abscesses in the pulmonal tissue, while the serous membranes (costal and pulmonal pleura, pericardium, and peritoneum) presented a comparatively healthy condition, except in those cases in which the causes described in subdivision 1 had been acting together

ith those under discussion. If these facts are duly taken into consideration, scarcely ny doubt can remain as to the constant inhalation of powdered soil and manure con- tituting one of the principal causes of the epizootic influenza of swine.

As another noxious influence tending to interfere with the process of respiration, or jjuring the respiratory organs, may be considered the gases or effluvia emanating from ld decomposing manure heaps and from dirty and filthy pig-sties and hog-yards. Still, must look upon them as something of subordinate importance—not *per se*, but com- ared with the more substantial agencies—and, therefore, do not deem it necessary to nter into further details.

3. *Causes which weaken the constitution, produce predisposition, and develop or promote the iphoid character of the disease.*—As such have to be mentioned: 1. Foul and impure ater for drinking. As a general rule, hogs are usually compelled to drink either out f a dirty trough, if confined in a sty, or from muddy pools and wallows, if kept in asture, &c., and, therefore, are frequently obliged to drink water that is not only uddy and impure, but even stinking and full of decomposing organic substances. hat such water is apt to develop microscopic animal and vegetable growth, is often ihabited by the brood or the larvæ of various species of intestinal worms, and thus repared to convey numerous germs and causes of disease to the animal organism— aybe more than are introduced in any other way—is a well known fact, and does ot need any explanation. 2. The filth and manure that is consumed with the food. n almost every Western farm (at any rate on all those on which I found the disease) he swine are fed with corn in the ear; the ears of corn are thrown into the pig-sty, ard, or feeding-lot, as the case may be, but always in a place full of manure and dirt, ither wet or dry. As a consequence, the animals can scarcely pick up a kernel of corn hat is not soiled with filth, and are obliged to consume a great deal of nastiness. That ich wholesale consumption of filth and excrements must finally undermine the con- itution of even the healthiest animal, and must give to any disease that may happen exist or to appear a typhoid character, is self-evident. 3. On a great many farms in e West the corn-cribs are either insufficiently covered or not covered at all, and, as consequence, a great deal of the corn fed in the spring and during the summer is oldy and rotten. Moldy corn does not constitute healthy food; on the contrary, is poisonous if consumed in large quantities; at any rate, it weakens the constitution, romotes and produces disease, especially of the respiratory organs and of the kidneys, nd is well calculated to give any disease a decidedly typhoid character. 4. One very ommon mistake in feeding may also be mentioned as perhaps not entirely without ifluence. I refer to the practice of feeding nothing but corn. It may suffice, how- ver, to say that corn does not contain in a due proportion all the elements necessary the growth and development of an animal; it is destitute of some and contains thers in too small a proportion. Hence a variety of food is just as necessary to a hog s to any other animal, if health and vigor are to be preserved. To enter into particu- irs would lead too far.

One may ask, if the causes of the disease are of such an ordinary character, how an it be possible that it has become such an extensive epizooty? The answer is not ifficult. A satisfactory explanation can be given. 1. Notwithstanding the most dili- ent search and patient inquiry, I have not been able to discover any injurious influ- ices or agencies, in addition to those enumerated, that have acted upon all of the iseased animals, or upon a large number of the same, which can be taken into con- ideration as possible causes. 2. The treatment or keeping of swine is essentially the ame almost everywhere in all the Western States. The causes mentioned are, there- ore, sufficiently discriminated or general enough to produce an epizootic. A great iany farmers, who are frequently careless enough in the treatment of even their horses nd cattle, usually think that a hog is but a "hog," and it can get along with "hog- ish" treatment—that it delights in nastiness, filth, and dirt of every description, and oes not need a dry, comfortable, and clean resting-place during the night, clean and ound food, clean and fresh water for drinking and bathing, nor shade and shelter gainst the burning rays of a Western sun, against wet and cold and the sudden changes f weather and temperature in general. But they are very much mistaken; there is robably no animal which repays good care and rational treatment more than the hog. till, if nature had not endowed the same with such an excellent constitution, pork ight have become, before this, a very rare article.

Some one may say, "If the principal causes of the disease have their source in the anner in which the swine are raised, kept, and provided for, which does not differ ssentially from former years, how does it happen, or how can it be explained, that he disease made its appearance as an epizooty only a few years ago, and not before?" Vhile the country was new hogs were not so numerous as now, or at any rate were not ept in such large herds; pig-sties, hog-lots, and swine-pastures contained not so much ccumulated filth and manure, nor so many bare and dusty places as they do now. In he course of many years the excrements and other decomposing organic substances ave not only accumulated on the surface of the premises where hogs are kept, but he ground and water have also become impregnated with the same. The disease, F

do not doubt, will still spread and increase in malignancy in the same proportion as which dung and dirt are allowed to accumulate, and in which the size of the herd is increased.

Is the epizootic influenza of swine a contagious disease?—To tell the truth, I am not prepared to decide that question, because such a decision requires numerous experiments and these I have not been able to make. A great many farmers believe, nay, have themselves convinced, that the disease must be contagious, and have furnished me with facts which I admit seem to point very strongly that way. Still I think the epizootic character or the fearful spreading of the disease can be satisfactorily explained without the existence of a contagion. The fact that the hogs and pigs running at large in the streets of the towns and cities are, with rare exceptions, healthy and remain exempted from the disease, notwithstanding they are much more exposed to contagion or contagious infection than any others, goes far to show that the disease is probably not contagious.

Duration of the morbid process.—In some cases the disease has had a fatal termination within two days after the first plain symptoms of sickness had made their appearance and a few cases have been reported to me in which the animals have died within five or six to twelve hours; but as to the latter cases, I am inclined to think the first symptoms have escaped observation; a very common occurrence in diseases of swine. The average duration of the disease may be set down as from five to fifteen days. Still some animals have been sick from three to six weeks, but as most of these recovered, a part of that time should be looked upon as belonging to the stage of convalescence, or, if the patients died, the disease was protracted by relapse.

Prevention.—The measures of prevention consist in removing the causes or in treating the swine in a rational manner in accordance with hygienic principles. If this is done, no other special treatment nor any medicines will be needed to ward off the disease. To give medicine to healthy animals for the purpose of preserving their health is a bad practice and may be fraught with injury. The use of medicines can have but few objects, viz., to mitigate, to remove, to destroy, or to divert injurious influences. To give the same for any other purpose will do much more damage than good, and should never be done. Hence I have to caution every farmer against the use of any patent nostrums or quack medicines advertised as "cure-alls," but intended only to draw the money out of the pockets of the credulous.

But to the point: I am confident that the epizootic influenza of swine, or the disease commonly called hog-cholera, will cease to exist, or, at any rate, will lose its epizootic character and become a very rare occurrence, first, if large herds of swine are divided into smaller ones containing only a few (three or four) animals each: second, if each lot, consisting of a few animals, is provided with a comfortable pen or sufficiently-protected resting-place to sleep in, which is kept free from filth, dust, and manure, is well ventilated, and has a good roof; third, if every hog or pig has access several times a day, or as often as weather or temperature and circumstances require, to fresh and clean water for drinking and bathing, either in troughs made for that purpose or in a brook or streamlet; fourth, if no filth, manure, and other decomposing organic substances are allowed to accumulate in any of the sties, yards, pens, hog-lots or pastures in which the hogs or pigs are kept; and, fifth, if the food is always healthy and sound and never soiled with filth and manure. I know very well that many farmers prefer to be sent to the drug store for medicine in preference to complying with these rules, and some of them may even think or say, "If I cannot keep my hogs in the old 'hoggish' fashion, but must treat them even better than I am in the habit of treating my horses and cattle, I prefer not to keep them at all." To such men I may to say, if you do not keep any hogs you certainly will not lose any, and may thus benefit yourself and your neighbor, who will reap the profit from the scarcity of hogs produced. But I can assure you that any one who will consent to treat his swine in a rational manner, as an animal ought to be treated, will gain thereby, and will receive an adequate compensation for his care and labor. At any rate, it will pay much better for any one to raise, for instance, fifty hogs, to keep them well and lose none and to develop them into "prime porkers" or so-called "Philadelphia" hogs, than to raise one or two hundred in "hoggish" fashion, lose from 50 to 70 per cent., and produce animals that figure as inferior "light-weights" or "scalawags" in the market reports. Moreover, the amount of food which is needed to produce two hundred pounds of inferior and frequently unhealthy pork, if the pigs are kept on the manure-heap, in the barn-yard or in small, nasty pens, will easily produce three hundred pounds of good, healthy and palatable pork if the keeping of the animal is always in strict accordance with the laws of hygiene. If the latter are never violated, I am sure epizootic influenza will not make its appearance; but if the indifferent, or rather negligent, treatment of swine customary in the West does not undergo a thorough change, the disease will increase in frequency from year to year.

In thus giving my views candidly and in plain language, I wish to state, without any apologies, that my object is not to blame any one, but to tell the honest truth, and point out the way which must be pursued if it is desired to get rid of the disease. I

nistakes made are not committed by a few farmers and hog-raisers, but by a great many. f those who find themselves guilty of having neglected their hogs, or of having treated hem in "hoggish fashion," will accept what I have said in the same spirit in which it s given, and follow my advice, they will have no cause to regret it.

Treatment.—The treatment may be divided into two parts: a hygienic and a medical. 'he former, which includes a removing of the causes, is in this, like in most other causes, f the very greatest importance. If the causes are promptly removed, a great many sick nimals not already too far gone may be saved. If the same are not, the very best medical reatment will be of little avail. The sick animals must be separated from the herd, nust be provided with a clean and dry resting-place, must have pure air to breathe, lean water to drink, and healthy, clean, and easily-digestible food to eat.

As to the medical part of the treatment: I would recommend giving to each patient t the beginning of the disease a good emetic, composed either of powdered white helleore (*veratrum album*) or of tartar-emetic, in a dose of about one grain for each month he sick animal is old, provided the latter is of good average size. The largest dose to be iven a full-grown animal should not exceed fifteen or sixteen grains. The emetic is est administered by mixing the same with a piece of boiled potato, or, if the hellebore which I prefer) is chosen, by strewing the powder on the surface of a small quantity f milk, as neither boiled potato nor milk will be refused by any hog unless the anial is very sick, and in that case it will be too late to make use of an emetic. After he desired action has been produced the animal will appear to be very sick, and will ry to hide itself in a dark corner; but two or three hours later it will make its appearnce again, and will be willing to take a little choice food, such as a few boiled potaoes, a little milk, &c. At this time it will be advisable to again give a small dose of iedicine, either a few grains (two or three to a full-grown animal and to a pig in proporion) of tartar-emetic or of calomel. Mix with a piece of boiled potato, or, if the sympoms should not have returned, mix with a small pinch of flour and a few drops of water sufficient to make a stiff dough) and form into small round pills. I wish to remark ere that a sick hog should not be drenched with medicine under any circumstances, or a drench, given by force, is very apt to pass down the windpipe into the lungs as oon as the animal squeals, and frequently causes instant death. The tartar-emetic as to be chosen if the disease has its principal seat in the respiratory organs or preents itself in its catarrhal-rheumatic form, and the calomel deserves preference if the astric or bilious-rheumatic form is prevailing, but especially if the liver is seriously ffected. Either medicine may be given in such small doses as mentioned three times day for several days in succession, or until a change for the better becomes apparent. t is also advisable, particularly if the disease exhibits a very typhoid character, to ow and then mix for each animal a few drops of carbolic acid with the water for rinking or with the slops. Convalescent animals, which have become very weak and maciated, will be benefited by giving them once a day from a few grains to half a rachm of sulphate of iron (copperas) mixed with their food, but the use of iron must e discontinued if the patients become constipated or if the excrements turn black. 'hose convalescents in which the lungs have become hepatized to a considerable exent may receive repeatedly small doses of carbonate of potash for the purpose of proioting the absorption of the exudations deposited in the tissue of the lungs. The ize of the dose of carbonate of potash, as well as of iron, depends upon the size and he age of the animal.

A local or external treatment is also of considerable importance. A good counterritant, or blister composed of cantharides, or Spanish flies, and oil, made by boiling ne ounce of the former and four ounces of the latter for half an hour over a moderate re, or for one hour in a water-bath, should be applied on both sides the chest in all uch cases in which the organs situated in that cavity are seriously affected. Such a ounter-irritant has usually a very beneficial result. In most cases one application will rove sufficient to relieve the animal to a considerable extent, provided the oil is horoughly rubbed in before the disease has made too much headway, or before the itality of the organism has been destroyed. If the effect of the fly-blister proves inufficient it may be applied again the next day, but if the same produces no effect at ll it may be taken as an indication that the animal is going to die, and that any furher treatment will prove of no avail. Fontonels and seatons have really the same ffect as a fly-blister, but they act slower, are less reliable, and may otherwise cause amage, especially if the typhoid character of the disease is very much developed, by eakening unnecessarily the constitution of the patient.

In conclusion, I will mention that epizootic influenza of swine, or so-called hog-cholra, is not a new disease, nor peculiar to our country, as people seem to believe. It has een known in Europe for many years. Professor Spinola gives a description of an epzootic "pleuro-peripneumonia," corresponding almost exactly to the catarrhal-rheumatic form of epizootic influenza of swine, in his "Die Krankheiten der Schweine" Diseases of Swine), Berlin, 1842, page 82 *et seq.* Another brief description will be ound in the Austrian "Vierteljahresschrift fuer wissenschaftliche Veterinaerkunde" Quarterly for Scientific Veterinary Science), Vienna, 1870, vol. xxxiii, part 2, page 137, opied from "Il Medico Veterinario," 1869, page 529.

Prof. E. F. RIPLEY, V. S., Portland, Cumberland County, Maine, says:

In regard to the diseases of farm animals I am happy to inform you that we have had no epizootic maladies the past two years. I have had quite a number of cases of pneumonia (of a low typhoid character) among horses, but the majority of the animals recovered. I treated them with stimulants, carbonate of ammonia, camphor, and capsicum. Occasionally I have a case that will bear a sedative. To some affected with extreme nervous prostration I gave assafetida and ergot. I have successfully treated fifty-odd cases of spinal and cerebro-spinal meningitis, mostly the former, where there were no brain complications. Treatment, one-half ounce of aloes, two drachms of carbonate of ammonia in bolus, followed with extract of belladonna and ergot and bromide of potassium. Some I treated with stimulants, applied mustard to the spine, and supported those with slings that were not able to rise without help. I treated six others (more severe cases, some of them down and unable to stand) that died. I have treated twenty horses suffering with pupa homeragicu. I gave them chloride of potassium, iron, quinine, and matico, mixed with one gallon of milk and six eggs, administered once a day. Most of them would drink with avidity. With an abundance of pure air and good nursing they soon recovered. We have more or less sore throat here among horses during the fall and spring seasons. Some neglected cases run into glanders.

Diseases among horned-cattle increase as the country grows older. More especially is this the case among milch-cows. Puerperal fever is the most common disease among this class of stock, and proved fatal in more than half the cases reported. Some cows die within an hour after the first symptoms of the disease are observable. I successfully treated six cases this season by giving one pound of sulphate of magnesia, twenty drops of croton oil, two drachms of Jamaica ginger, in three pints of warm water. Their milk and urine should be drawn, and mustard applied to the spine. If injections of physic do not act in six hours give half-pound doses of magnesia and ginger every six hours until the bowels move. Within two hours from the first cathartic give two ounces of spirits of nitre and four ounces of acetate of ammonia. Repeat every six hours until the animal is able to rise. I have had many cases of congestive fevers in cows and oxen, most of which have recovered. I give one pound sulphate of magnesia, two drachms ginger, and one drachm tincture of aconite. If the bowels are constipated, after the fever subsides, I give half-drachm doses of nux vomica.

I have successfully treated a few cases of entritic fever in swine with calomel and muriate of ammonia, alternated with belladonna.

Mr. S. H. LOGAN, Greensburg, Decatur County, Indiana, says:

The disease known as hog-cholera is now and has been prevalent for several years in this county. I was a feeder of hogs for several years in distilleries in Cincinnati and at Lawrenceburg, in this State. The average loss of hogs by death from this disease in distilleries I think is fully one-half. The loss among hogs in the country from the same cause, of one year old and over, will average about the same; those of six months old and under about all die, or perhaps one out of ten may live.

The remedies used here are sulphur, copperas, black antimony, saltpeter, and assafetida. These remedies have been given separately and in different combinations. Several patent medicines have also been used, but I have never known any benefit derived from any of them. The first symptoms of the disease seen in a lot of hogs are a drooping appearance of the animals; they refuse to eat; the hair looks dry and has a dirty appearance; they have a hoarse cough; the bowels are sometimes costive, but generally the animal is affected with a diarrhea, perhaps always toward the last stage of the disease. The duration of the disease, as near as I can judge, is from five to fifteen days. In cases which I have dissected I find the lungs, liver, spleen, and bowels all more or less diseased. Some cases bleed at the nose; some go blind; some swell in the legs and break out in sores. A few of the latter get well; but none of those that bleed at the nose or go blind ever recover. There seems to be fever in every case.

I have also seen a great many hogs have a chill, as if affected with the ague. The disease is very fatal; indeed it is certain death.

Mr. JOHN M. LILEY, Taylorsville, Spencer County, Kentucky, says:

We have been visited in this and the adjoining county of Nelson by a disease among swine called "hog-cholera." It commenced a year ago this fall, and continued up to August last. During that time about two-thirds of the hogs and almost all the pigs died, so that there are only two or three small lots left for sale in this neighborhood. Those that I observed seemed to be attacked with inflammation of the lungs, accompanied with fever, which, if not resulting in death in a few days, continued as a slow pulmonary disease, with cough and very poor appetite, until the patient dwindled away to skin and bone, when death would ensue. Most of them died in this way on my farm.

think the bowels of the animal are affected in very few cases of late years, and, therefore, the symptoms do not answer to those of cholera.

We have tried a great many remedies—some patented, others vouched for by honest and sanguine men. None of them proved of any avail, however, either as a remedy or as a preventive.

As our swine had been free from disease three years previous to this fatal visitation, we had great expectations from them, and had increased the number. But they are about all gone; perhaps enough are left to supply the farmers with their own meat. We would be exceedingly thankful if some remedy or preventive could be discovered by which the disease could be controlled.

Mr. W. W. Barnes, Howard, Howard County, Indiana, says:

If there is any disease prevailing among farm animals in this county, except among hogs, it has not come to my knowledge. The so-called hog-cholera has, for the last year, prevailed to an alarming extent. In some cases the losses have been so great where large herds were held as to cause financial ruin. At this time a general feeling prevails against risking capital in this important staple.

The term cholera is generally used to designate the disease, but I doubt if a case of genuine cholera has occurred. In some localities a disease known as quinsy has prevailed—swelling of throat and jaws, attended with high inflammation. No remedy is known. In some cases, the knife was used in laying open the parts affected; but the recoveries were not as high as 10 per cent.

Pneumonia, or congestion of the lungs, is, I think, the real disease. After the hogs lose their appetites and refuse to eat they live from twelve to forty-eight hours. Death, when it comes, is instantaneous. The animals fall dead in the paths in which they travel, or die in the beds in which they sleep. Where they fall in snow there is not a sign of a struggle. They are always found on their bellies, as though their walk had been instantaneously arrested. All remedies seem worthless.

Mr. W. T. Pace, Centre, Kentucky, says:

There is no disease among farm stock in this section of country except among hogs. The disease prevailing among this class of animals has been very destructive. There has never yet been a remedy found that seemed to do much good. Mandrake-roots and red-oak bark, boiled down to a strong decoction and given freely, is the best remedy that we have found. The hogs are attacked in different ways. Generally an eruption of small red pimples breaks out over the entire body, but are most prominent on the breast and belly; their breathing is accompanied by a wheezing sound; their bowels are inclined to be too active. At least 90 per cent. of those attacked in this way die. Other symptoms are manifested by thumping in the sides of the animal. The hog becomes stupid, and will refuse to eat or drink anything for several days. This is not a very fatal disease. There is still another phase of the disease, in which the bowels are constipated. In those examined after death the fæces matter is found in hard, round lumps, the size of walnuts. It seems impossible for them to have an operation of the bowels. They live but a few days, and seem to suffer a great deal. Epsom salts, cream-tartar, and castor-oil are the only remedies that have ever done any good. The mortality is about 80 per cent.

Mr. S. H. Biddinger, Westport, Decatur County, Indiana, says:

Inflammation of the kidneys is a common disease here among horses. The early symptoms of the disease are those of fever; the horse is nervous and frequently looks around at his sides; stands with his hinder legs wide apart; is unwilling to lie down; shrinks when the loins are pressed, where some degree of heat is felt; the urine is voided in small quantities; frequently it is highly colored and sometimes bloody. The treatment consists in bleeding freely; next an active purge should be administered and counter-irritation excited as near as possible to the seat of the disease. For this purpose the loins should be covered with a mustard poultice. The horse should be warmly clothed. No diuretic should be given, but after the first effects of the purging have ceased small doses of white hellebore with tartar-emetic may be given. The animal's legs should be bandaged and plenty of water offered him. His food should also be carefully examined.

I have had some experience with the disease known as hog-cholera, and regard it as either a congestion of the lungs or of the bowels. A *post-mortem* examination disclosed the fact that those that run off at the bowels show a diseased condition of the liver and bowels, while those that are not affected with diarrhea die much sooner than the former, and present a highly congested condition of the lungs. Remedies that have proved efficacious in my practice are such as sulphur and coal-oil or sulphur and lin-

seed-oil given in small doses twice a day until relief is found. Two drachms of sul-phur to one ounce of oil is the proportion I use.

Chicken-cholera is first observed by a moping or stupid condition of the fowl. Post-*mortem* examinations show an enlarged condition of the liver. I have relieved fowls affected with the disease with a strong butternut-bark ooze mixed with thin tea. Small doses of calomel also relieve them.

Mr. GEORGE VIRGIN, Little Indian, Cass County, Illinois, says:

There has been no prevailing disease here among farm animals for the past three years except the much talked of hog-cholera, which has killed about one-fourth of the hogs of the county. The first symptoms are a severe hacking cough, constipation of the bowels, and loss of appetite. The hair of the animal almost stands on end, a high fever is manifested, which is soon followed by mortification and death. So far no very effectual remedy has been discovered. A good preventive is found in charcoal and copperas mixed with a little sulphur, common salt, and saltpeter. One pound of ca-mel sprinkled over some wet oats and placed in troughs for about fifty hogs, follow-on the second day with a large spoonful of turpentine for each animal, is the best rem-edy yet discovered here. The turpentine should be given in slop, and the hogs sent away from water a day or two before giving the medicine, in order to give them an appetite.

Mr. IND. SMITH, Wellsburg, Chemung County, New York, says:

I have not had a great deal of experience with the disease among cattle known as the "western fever." Cattle shipped from the West to the Buffalo yards, in apparent good health when they started, have died of this disease soon after their arrival at the above-named point. I am of the opinion that in such cases the disease was contracted in the pens along the lines of the railroads. A neighbor who recently bought a car-load of these western cattle has already lost four by this disease. No doubt the cattle were in good health when they left home.

A good many stock-hogs purchased at Buffalo have died of some disease, perhaps cholera. One gentleman has lost one hundred out of a herd of 225 head, while others with smaller herds have lost in about the same proportion. If these stock-yards were changed or thoroughly cleaned and disinfected, the ravages of the various diseases to which farm animals are subject might be greatly lessened.

Mr. WILLIAM T. HOLT, Colorado Springs, El Paso County, Colorado, says:

As to diseases of domestic animals in this State, I reply briefly that cattle here are pretty uniformly healthy. Out of a herd of over four thousand, owned by myself, I have not lost half a dozen head from sickness in the past four years.

There is, however, a poisonous plant growing here, and fast extending over the best stock-grazing portions of the State, which kills annually a good many horses and threatens to put an end to the breeding of horses here at no distant day, unless some efficient antidote be speedily found. Already there are large areas of what was a few years ago the best grazing portions of the State (in the counties of El Paso, Bent, and Elbert) where it is now unsafe to turn out a horse or mule at any season of the year, and almost sure death to the animal to do so in winter when the grasses are brown and dry and this poisonous weed brilliantly green in color and full of juice. It is known here among ranchmen as the "loco weed," so named, I think, because its first effect when eaten is to make the animal crazy. Thousands of dollars' worth of horses are ruined every year in this State from the effects of this poisonous plant. It has not so far, killed many cattle, for the reason that owing to the vast numbers of this class of animals it is rarely that any one of the number gets sufficient to kill him, and they are apparently less susceptible to its peculiar influence than horses. It has been observed that the more valuable a horse is, *i. e.*, the more highly organized, the less "loco" it takes to intoxicate and finally kill him. No antidote has yet been discovered, and if you can set on foot an investigation which will result in determining a sure cure for a "locoed" horse, you will confer a great benefit upon the stock-growing interests of this community. While this weed has not yet spread abundantly enough to kill many cattle, it is believed to be only a question of time when it will do so, if not checked. The use of horses being indispensable to cattle-raising on the plains, this noxious weed indirectly imposes a heavy loss upon the cattle-grower. It also affects our rams, sometimes killing them outright, but oftener rendering them emaciated, crazy, and useless, but this far less frequently than in the case of horses.

The only diseases to which sheep are liable here are scab and "sore mouth," this last so far as I know, affecting only lambs before weaning. Out of a flock of ten thousand sheep, owned by myself, these are the only diseases I have had to contend with, and I

have found both easily curable. The cause of the sore mouth is not known here. It is not a general but rather a local and rare disease, and never fatal if properly treated. I have never seen it until this summer, when some 1,200 of my lambs had it. The lips are first covered with "chaps," followed by pustules which grow thick scabs. These extend gradually over the thin skin about the mouth and into the nose, making the face extremely sore and feverish, and prevent the lambs from nursing well or grazing. I had the pustules and the scabs scraped off clean and a solution of carbolic acid applied with a brush, which effectually cured it.

Mr. A. H. McCoy, Gentryville, Spencer County, Indiana, says:

In answer to your inquiries I shall only notice the diseases affecting hogs. I have been a breeder of hogs for forty years, and during that time have never known any disease among swine so fatal as cholera. This county loses from ten to twenty thousand dollars per annum by the disease. As I have been a breeder of fine pigs for more than twenty years, I have been unusually interested in the diseases of swine, and have been able to guard against every other disease but cholera. Mange is generally engendered by filthy quarters; thumps by general debility, mostly for lack of healthy feed; but cholera, beyond reasonable doubt, is a contagion, and is carried from herd to herd by hogs affected with the disease. Near twenty-five years ago, when the cholera first made its appearance in our county, I discovered it was nearing my neighborhood, and as it was very fatal, and fearing it was contagious, I fenced about six acres in on the inside of my farm, some eighty or one hundred yards from any outside fencing. The result was, I did not lose any of my thirty-five head, though my nearest neighbors lost from one-half to about all their hogs. Since that time my observation and experience have been the same.

Last winter I lost over twenty head of fine Berkshire hogs and pigs, caused by a gang of hogs affected with cholera being driven into my immediate neighborhood for the purpose of feeding on the mast, which was abundant. The symptoms, &c., are as follows:

1. A cough which lasts two or three days, and a strolling, restless disposition.
2. Vomiting, which generally lasts about a day; hog very sick.
3. Purging, generally, but not invariably, lasts two or three days.
4. After the purging ceases, if the hog is likely to recover, it will generally eat a little; but those that ultimately die seldom eat anything after the vomiting sets in. Those that die usually do so within from forty-eight hours to ten days.
5. After vomiting sets in the hog has a high inward fever, accompanied with chilly sensations, a symptom I discovered by observation. Snow was on the ground last winter, and it was very cold at the time my hogs were dying with the cholera. Very often they would leave their beds for the purpose of eating snow, which they would continue for a long time, though they had plenty of water; then they would pile together and shiver, which they will do even in warm weather if they have the cholera.

As to remedies, I have tried a number of the most popular ones without any favorable results; indeed, I am satisfied there is no cure. The best preventive beyond all doubt is the fencing-in system—*let no hogs run at large.* The next is the scattering system—have but few together. Farmers lose on an average about one-half the number of their hogs whenever the disease gets into a large herd.

Mr. J. Zimmerman, Mount Carmel, Wabash County, Illinois, says:

No diseases among farm animals have recently come under my observation, except diseases among swine. With the various forms of so-called hog-cholera I have had considerable experience in my own stock, and observation among that of my neighbors. The report of Dr. Detmers to the Missouri State Board of Agriculture, a year or two ago, contains, in the main, a better description of the disease than I could give, as well as the best remedial and preventive prescriptions I have yet tried. His statement, however, that hogs kept in small numbers, as by people in towns, are comparatively free from disease, is not at all borne out by the facts in this vicinity.

The greatest fatality is among pigs; but I am well convinced this is to a very considerable extent from mange, although denominated "cholera," with all other diseases to which the hog is subject. While induced in many instances by perfectly obvious causes, I think the mange in many cases is inherited, or is the result of injudicious breeding. For instance, I have one sow, now suckling her third litter, whose pigs in each case have been mangy, although treated as other pigs that remained free from mange. She has in each case been bred to her own sire; none of my other sows have been bred to a related male. It sometimes happens with me that a sow couples with a young, immature male; the progeny in nearly every such case are diseased.

The nesting of swine under barn-floors and the like, *i. e.*, under any low, tight covering, where there is not free circulation of air about the animals, is, in my experience, a certain inducing cause of cholera.

I have had better success from the use of Dr. Detmer's remedies, namely, tartar-emetic and calomel (particularly tartar-emetic), and seclusion of the animal, than from any other. I have administered it to quite a number, and have called the attention of my neighbors to it, and know of no instance in which it has been administered that it has not been attended with beneficial results. I can hardly think of anything that has not been recommended as a cure for cholera. I have tried dozens of so-called remedies, sometimes with apparent success, but ninety-nine out of one hundred of these, I am positive, are called remedies on no sufficient basis of extended experiment. It may be so also with the above. So far my experience and observation are largely favorable to its efficacy.

I feed in a large wood lot, where there is plenty of water and shelter from cold winds. I throw corn on the ground by wagon-loads for the animals to run to when they wish, but never two loads consecutively at the same place. I break up the nest occasionally and compel a change of sleeping quarters. I feed, at least once a week, a mixture of salt and wood-ashes. I breed only from mature animals, preferring Berkshires for mothers and Polands for sires, but lay particular stress on maturity of breeding stock. Whenever I find an animal refusing its food, or wheezing painfully, or with an appearance of thumping in its sides when it breathes, or nestling down and shivering as if it had a chill, I remove it from the lot as quickly as possible and feed it from two to four grains of tartar-emetic in a small quantity of potato cooked with a little grease to tempt an appetite. Whatever, if any, of these measures may be the cause, my swine have been measurably free from cholera during the past four years. Still, I recognize the danger that it may break out among them in a week, and also the paradox that if it were not for the losses by cholera there would be no profit in hogs.

I cannot give a reasonable guess at the average duration of attacks, so wide is the variance. I think at least sixty per cent. of the cases prove fatal.

Mr. W. H. MALONE, Marion, McDowell County, North Carolina, says:

On inquiry I find the opinion prevails that fifty per cent. of the hogs in this county have died during the last year, and that the fatality has been about as great in several other counties of Western North Carolina. The disease is called "hog cholera," but very little is known of its causes; still less is known of any effectual cure for the disease. The symptoms are often not discovered until the hogs are found dead; frequently from three to five head are found dead together. Sometimes the hog shows an indisposition to eat, and generally dies within two or three days after the discovery of these symptoms. The people have many remedies, but *all* have proven unavailable.

A disease also known as cholera has been quite fatal among chickens for several years past. They die suddenly—are often found dead in great numbers in the morning. No remedy for the disease has been discovered in this locality.

Mr. J. R. HOLSTON, Anderson, Madison County, Indiana, says:

During the past eighteen months we have had a fearful epidemic among our hogs called cholera. It has been very fatal, and last year carried off at least four-fifths of all the hogs of the county. Some think the losses were even greater than this, but to be on the safe side I put the figures at four-fifths. For ten years past the farmers of this county have been raising for market from 25,000 to 30,000 head of hogs, and during the last eighteen months they have lost by this disease in this class of animals alone, in actual cash value, from $300,000 to $400,000. These figures are large, but they are below the aggregate estimate of some of our stock-raisers. In the years 1875 and 1876 we had partial failures of the wheat crop; so during the two years, with these various causes, we have had a signal financial failure, and it will take at least four or five years, with such crops as we have this season, to catch up again.

The symptoms of this so-called hog cholera are varied and complex, so much so, indeed, as to render it very difficult to arrive at any definite conclusion. The first symptom among young hogs or shoats is a cough, accompanied by a kind of heaving or thumping in their flanks. This continues for a few hours or a day or two, when the animal dies. Some mope around, lie in the shade, and refuse to eat. Those affected in this way live anywhere from two hours up to three or four days. Some bleed at the nose, some are constipated, while others are laxative. The last-named symptom is rare, and hogs thus affected generally get well.

There are numbers of so-called remedies and preventives, but all have proved abortive. Soft-soap, calomel, black antimony, coal-oil, dog-fennel tea, sulphur, sulphate of iron, &c., have all been used, but without effect. No specific remedy or preventive will ever be found until the origin or cause of this most fatal epidemic is discovered. The farmers of Ohio, Kentucky, Illinois, Missouri, Iowa, Minnesota, and Michigan are suffering to as great an extent from the ravages of this disease as we are here in Indiana.

Mr. HENRY C. MILLER, Westport, Decatur County, Indiana, says:

Farmers in this locality sustain heavier losses from hog-cholera, so called, than from all other diseases to which farm animals are subject. When once fully developed, the disease baffles all skill and every remedy. Preventives afford about the only relief yet discovered. Ashes and salt, given once a week, is a good preventive; so are sulphur and turpentine, administered in milk or slop. The following is regarded as a remedy of some value: One pound of black antimony, one-half pound of sulphur, one-half pound of copperas, and one pound of black pepper. Pour hot water over one-half bushel of shelled corn or wheat, and stir in the ingredients; then add one peck of wheat bran and a little salt. Stir well and scatter along the paths of the hogs, or on any place convenient to the hogs, where the ground is hard.

The malady seems to be a lung disease. The hog breathes with a jerk, the breathing becoming shorter as death approaches. In cases where they purge, the animal lingers from seven days to two weeks, but with other symptoms they die generally within from two to four days. It is more fatal among shoats and pigs, but often kills hundreds of fatted hogs.

Chicken cholera is very destructive among fowls. Preventives are more effectual than remedies. Lime in their food and water-troughs, and sand and gravel within their reach, will greatly conduce to their health.

Prof. A. A. HOLCOMBE, D. V. S., lecturer on "Special Pathology" in the American Veterinary College, New York, says:

In reply to communication received from you last month I can only give the facts relating to contagious pleura-pneumonia as it exists in the State of New Jersey. It has prevailed to a greater or less extent in some parts of the State for a number of years past. That it is spreading is attested by recent outbreaks in localities where heretofore it has been unknown. In September, 1873, an outbreak of this disease occurred on a large dairy farm at North Branch, Somerset County, New Jersey. It was treated by a quack of Somerville (in the same county), and nearly every case died. I saw three of the cases, and they were undoubtedly genuine cases of the contagious pleura-pneumonia. In June of the next year (1874) I attended an outbreak on an adjoining farm. About forty cows were affected. I treated thirty-three, five of which died. I made *post-mortem* examination of three and found all the lesions and *post-mortem* appearances belonging to the above disease. The treatment given the cases was simply general and special stimulants. The small mortality in this outbreak can hardly be attributed to the treatment, but rather to the exhaustion of the infecting virus. Isolation was strongly urged, but could not be effected owing to the failure of the community to appreciate its contagiousness. The cause of the outbreak is unknown to me outside of the testimony of the owners of the affected cattle. In both instances they had bought strange cattle, one or more of which were coughing and apparently not thriving. Undoubtedly this was the manner of introducing the disease, yet it needs confirmation. During the summer just passed a very serious and fatal outbreak has prevailed in the adjoining county of Hunterdon, in the neighborhood of Clinton and Lebanon. Of its cause I know nothing. The disease is a terrible scourge to some localities of that State. An investigation of its cause and the best means of stamping it out is no doubt a subject worthy the attention of the Department of Agriculture.

Mr. JO. ABBOTT, Hillsborough, Hill County, Texas, says:

1. I will say that my observation, which is supported by information I get from several well-informed gentlemen, is, that horses and cattle which run at large on our prairies are entirely free from disease of any kind.

2. That horses which are kept up for use are sometimes troubled with bots or colic. These cannot properly be said to be diseases; but instances of these complaints are rare. For the first, a drench made by dissolving about one-third of an ounce of blue-stone in water sweetened is regarded as a specific. For the latter, one-half pound of bi-carbonate of soda, dissolved in water, is frequently used with good effects. In violent cases this is repeated once or twice.

As to milch cows and oxen, I can say I have known neither to be troubled with any kind of disease, and I have owned a number of each kind for several years past.

Hogs are frequently affected with cholera, which, at times, assumes the form of an epidemic among them. In seasons of this kind the loss is often 50 per cent.; but I will say that I have known of no cholera among hogs during the past twelve months. I am not informed of a remedy for this disease, although several experiments have been made.

Fowls, especially chickens and turkeys, are frequently visited with cholera. I have never known a fowl to be cured after the disease was fully developed, though many trials have been made. My observation is, that if fowls are fed on onions, mixed with other food, or if you can induce them to feed on the onion while growing, as they sometimes do, they will never have the disease. I believe the onion to be a sure preventive.

Mr. R. M. MUMFORD, Princeton, Gibson County, Indiana, says:

The farmers of Gibson County have lost thousands of dollars this year by what termed hog-cholera. The first symptom of the disease is a cough, then the animal becomes stupid, refuses to eat, and generally dies within from three to six days from the appearance of the first symptoms. Corn soaked in lime and fed to hogs is said to be a preventive. Copperas, sulphur, and ashes are also said to be of some value as preventives. No cure has as yet been found.

If anything can be done by way of investigation by your department that will afford relief, it will be thankfully received by the farmers of this section of the country.

Mr. C. W. JOHNSTON, Chapel Hill, Orange County, North Carolina, says:

Distemper has prevailed to some extent among horses and mules in this locality. The duration of the disease averages about one month. Not one in one hundred of the animals attacked die of it. An efficient remedy is found in the inhalation of smoke from burned tar and feathers. Asafetida used on the bit and in the trough was found a good preventive.

Murrain has prevailed to a small extent among cattle, with fatal results. There seems to be no remedy for this disease.

Among hogs the cholera has prevailed to an alarming extent. Sulphur, turpentine, copperas, &c., have been used as remedies, but none of them have proved efficacious.

Cholera has also been very destructive among fowls, and, as with hogs, all remedies seem to be ineffectual.

Mr. H. A. CUTTING, Lunenburg, Essex County, Vermont, says:

I would say that the use of powdered lobelia, or ipecac, in all cases of epizootic colds in the heads or throats of horses have, in this section, been beneficial. The manner of use has been to take a large spoon and put into it a drachm of ipecac or two drachms of lobelia, and, after opening the horse's mouth and drawing out his tongue, scatter the powder as low down on the roots of the tongue as possible. In this way it is mostly swallowed, and yet some is worked about the mouth and throat, causing an increased secretion and almost immediate benefit.

Hogs have died to some extent this summer—perhaps one-sixth of all. The disease seemed induced by constipation, and after the cause was discovered all were saved by giving them common salt. Those not sick were given salted food, and all went well.

Mr. GEORGE C. EISENMAYER, Mascoutah, Saint Clair County, Illinois, says:

We have no general diseases among farm stock in this county, except cholera among hogs, for which there is no known remedy. There are also occasional cases of cholera among all kinds of domestic fowls, for which no remedy has been found.

Mr. B. WHITAKER, Warsaw, Hancock County, Illinois, says:

It is with much gratification that I learn that the diseases affecting farm animals is about to receive attention. The losses in this county from hog-cholera alone are estimated in cash value at $30,000 per annum. In a recent report of the State Board of Agriculture the disease was said to exist in eighty-eight counties of the State and from authentic and well-digested reports the annual loss was estimated at $7,[illegible]. The terrible fatality of this disease and the great losses sustained thereby is the strongest argument that could be offered in favor of a speedy investigation into its causes. Remedies without number have been prescribed, but without any appreciable effect. The disease, in its various forms, is veiled in so much mystery that a correct diagnosis is rendered very difficult. The symptoms generally, as I have observed them, are about as follows: First, the hog becomes stupid and refuses to eat, sleeps a great deal, and dies within a few days. Second, it may be constipated or exactly the reverse. Where diarrhea prevails the hog may die soon or it may linger along for several days all the time losing and shrinking in flesh. Sometimes animals affected in this way recover, but they remain poor, gaunt, and apparently shriveled up. Young hogs are generally affected with a hacking cough and a noticeable jerking pulsation in the flanks at every inspiration of breath. Pigs and shoats will sometimes linger for weeks with these symptoms. Still another symptom is observed in cases where the hog seeks seclusion, with every appearance of a severe cold or chill. It will crouch into the smallest possible compass, apparently for the purpose of securing warmth. Some hogs are attacked with vomiting and purging, which symptoms continue until death ensues. The disease is more fatal with fatted hogs than with any other class. Many of these drop dead without a struggle, and without any visible symptoms of disease.

Intestinal worms may possibly have some connection with the diseases which affect swine. I was informed by a gentleman who performed the operation, that in spaying some hogs last year he found the intestines of one greatly distended with worms. He opened them and took out fourteen long, large worms, and closed the opening without completing the operation of spaying. The hog lived and did well. Another case, where the intestines were opened, a large number of worms taken therefrom and the hog afterward spayed, the operation proved fatal. Proof is abundant that intestinal worms are common to most hogs, both in sickness and in health.

Diseases of fowls exist in almost every community and locality. It has not been so prevalent this season as in past years. It is, perhaps, contagious, as healthy fowls brought from other places and allowed to run with diseased ones are soon infected. Guinea fowls, ducks, and geese are exempt from the disease so far as my knowledge extends.

I neglected to state in the proper connection that all hogs affected with any of the above symptoms refuse to eat, hence the difficulty of administering medicine.

Mr. W. M. Green, Jamestown, Russell County, Kentucky, says:

There are many complaints of cholera among hogs, but I am seventy years old and have never had a case in my herds. I have sometimes had hogs affected with quinsy—a swelling of the throat. This disease is generally fatal. Lice no doubt cause many diseases which ultimately prove fatal. I have had a good many sucking pigs and small shoats die of a disease resembling consumption. The first symptoms are those of wheezing and coughing. They then become constipated, refuse to eat, seem very stupid, take the thumps, and soon die. My grown hogs are generally healthy. I feed from seventy-five to one hundred and fifty every year, and scarcely ever lose one. I frequently give them copperas, sulphur, and soda, about one-half pound of each to every twenty hogs. This is mixed with soft-soap and rye-meal. For quinsy I give spirits of turpentine, or common tar mixed with meal.

A disease called cholera is very fatal to chickens in this locality. I never had it in my brood until this fall. They have died very rapidly; indeed, it seems they will all die, as we have no remedy. When attacked with the disease the fowls become stupid, refuse to eat, run off at the bowels, and soon die.

Mr. W. J. Moore, Larkinsburg, Clay County, Illinois, says:

I am happy to report that there is no prevailing disease among any of the domestic animals of this part of the country; all are in a healthy condition at present. Cholera prevailed to some extent during the early part of the past summer among hogs, but it did not assume an epidemic form and soon abated. Its abatement was not attributable to any specific treatment.

Mr. S. V. Pickens, Hendersonville, Henderson County, North Carolina, says:

In this locality, where the atmosphere is mountainous and the water pure, the most of the ills to which horses are liable are, either directly or indirectly, the result of mistreatment, except, however, the epizootic and other distempers, not very prevalent at any time in this section. Among the most common diseases here are the gravel, scours, glanders, and colic.

In case of gravel the horse manifests great pain; when standing will stretch his legs far apart; when lying the animal rolls much upon his back. When thus affected the horse must be relieved in a few hours, or death will ensue. As a remedy, take two eggs, pour out the yellow through a small hole broken in the shell, then fill the shell with spirits of turpentine, and make the horse swallow the whole. Some inject onion juice up the water-organ with good results.

Scours are generally caused by excessive exercise or over-feeding with green food. This causes over-heating, which is followed by loose discharges from the bowels, producing general debility accompanied with great suffering. A dose of spirits of turpentine or tar ooze will generally relieve the animal by checking excessive discharges, after which drench freely with warm sage or pennyroyal teas.

Glanders affects the roof of the horse's mouth, produces great soreness, and renders it very difficult for him to masticate his food. Sometimes some of the bars in the roof of the mouth become a gristle. Bleeding in the roof of the mouth and frequent swabbing with a strong solution of copperas and alum is our remedy.

Colic may be caused by excessive work, irregular and excessive eating, drinking, &c. It is indicated by the strongest manifestations of pain, great restlessness, continual walking, rolling or pawing, and body swollen. The most speedy cure known to us is to "rake" the animal and bleed in the neck and mouth. Then give him freely of

warm teas by drenching, with soda dissolved in it. This disease does its work usually in a few hours.

We believe most horses have bots in them, but that their ravages are seldom committed upon an animal when in good health. Therefore, when a horse is debilitated and his whole organization deranged by disease, is when the bots begin their work. This is known by the great restlessness of the horse, and the resting of his nose upon his flank. One-half pint each of whisky, lye, sweet milk and molasses well mixed and poured down the horse in time, is almost a sure cure, but should be followed in one hour by one-half pound of salts, to be repeated if ineffectual. These remarks have special reference to this immediate locality, but are alike applicable to the mountainous region of western North Carolina.

Before closing my statement relating to horses, let me advise the free use of salt and lime, or wood ashes, mixed in food. It serves as a preventive for many of the diseases common among domestic animals of this section.

Our cattle seldom die of disease, save the "hollow-horn," more justly called "hollow belly," since the latter is generally the cause of the former; and distemper, believed to be contagious and almost invariably accompanied by what we term the "distemper tick," great numbers of which get upon the cattle about the time and in localities where the disease rages. It is thought to be communicated by grazing where affected cattle have lain or grazed. It is also said that a cow may have it in its system and communicate it to others and show no symptoms in themselves. The free use of sulphur internally and kerosene oil externally serves as a good preventive, in which alone is safety.

Hogs are sometime affected with cholera, which is supposed to be transmitted from one to another. So very fatal is this disease that perhaps 80 per cent. of the hogs attacked with it die. Tar and copperas are good preventives, used in food. Kerosene oil and blue stone are as good remedies as we know of here.

Dr. JOHN KENNEDY, Paragon, Morgan County, Indiana, says:

Hogs being our staple production, I shall treat of the various diseases affecting the animal, all of which are called cholera. In my opinion there are three distinct diseases, viz: Lung fever, (pneumonia,) erysipelas, which may affect any one organ or the entire organization of the animal, and enteritis or enteric fever, a disease similar to hospital or camp or typhus fever in the human system.

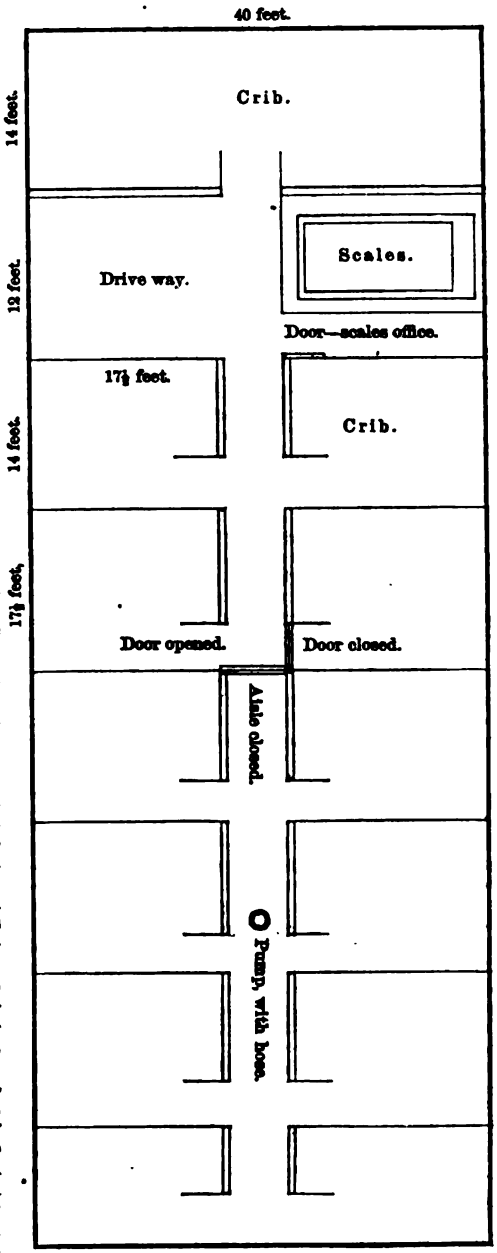
The former is mainly brought on by exposure to changes of weather. The two latter are epizootic and contagious, and so closely resemble each other that I shall not attempt a distinction, as they are quite generally considered the same disease. I shall simply give distinctive symptoms sufficient to enable the ordinary farmer to know what ails his hogs.

In the colder seasons of the year, when the hogs are inclined to pile up to sleep (not being protected, as is nearly always the case in our vicinity), it is noticed that some of them do not readily come up for their morning feed, and when they are driven up they seem stupid and not inclined to eat. They may have a cough, or this symptom may not show itself for a few days further along. They are thirsty from the beginning and the cough, which appears sooner or later, may be accompanied with bleeding at the nose and mouth, which is an evidence that the lungs are seriously affected. When this latter symptom appears it may be taken as an evidence that the animal will soon be ready for the dead-hog man. The symptoms invariably indicate lung fever. The best treatment is to at once separate the well from the sick ones and if possible provide shelter and protection for all. If you have too many in the herd take out those that are positively healthy and put them on the market, and thereby reduce the number until you can afford shelter and protection for the remainder. A cheap shelter and protection may be constructed by boarding solid your fence so as to shield them from the chilling effects of the northwest winds. Make a cover slanting from the top inward, and throw in stalks and husks for bedding. Further on I shall give a diagram for a barn, such as every hog raiser should have.

The next thing in the general treatment of the disease is to cease feeding everything except slop made from corn meal, with sufficient salt added to make it palatable. They should not have water oftener than three times a day. I would give from one to two pints of water from pine tar, adding five to ten grains of nitrate of potash to the pint. During the active stages of the disease and in convalescence, which will take place within from five to seven days, I would use chlorate instead of nitrate of potash. With this simple treatment more hogs will be cured than in any other way that I have known tried. If thought proper, however, a small amount of copperas may be given during convalescence, say from two to five grains to the hog three times daily in their swill or slop. As a preventive for those not affected nothing is better than the tar water mixed with chlorate of potash. As a disinfectant copperas water, or charcoal and wood ashes, may be used. Carbolic acid, if not considered too costly, may also be used in the proportion of one-half ounce to a quart of water. With this the hog

hould be sprinkled two or three times a week, using a common sprinkler or a wisp of traw.

In cases of erysipelas the hog will appear indisposed and rather mopy. At first its owels are somewhat constipated and its fæces dry and hard. Within a few days iarrhea, though not always a symp-om, may be noticed; red or bluish-ed spots will appear on the skin; welling will set in, and, if the hog oes not soon die, the hair will begin o fall off. and the skin, in some ases, will become surfeited and ven crack open. It will thus lin-er along for thirty or forty days, nd sometimes recover after it has een given over to die. This dis-ase is liable to affect the vital rgans, and when it does it runs a apid course, proving fatal in a few lays or resulting favorably in a omparatively short time. The dis-inguishing symptoms in this and nteric fever or inflammation of he bowels are, instead of the red pots on the skin, an eruption of ed specks appear, and vomiting nd diarrhea are generally present within a very few days after the ttack. If not properly treated it s equally fatal with the others. As in other cases, I would advise eparation of the sick from the well ones, and in cold weather, shelter nd protection, also observing like rules as to feed and water, using tar-water with carbolic acid. One ounce of the latter to a barrel of water, and one gallon of the water to each hog per day in addition to three quarts of thin corn-meal gruel to each hog, will be found the best treatment. For those that have diarrhea, one-half teaspoonful of muriate tincture of iron may be given three times a day. A small amount of carbolic acid for the well ones may also be given. I cannot give the proportion of hogs cured by the above course of treatment, but so far as tried it has proved very effectual. To be healthy, hogs should have a fair degree of cleanliness, and where they do not have access to running water, the pools where they wallow should be disinfected once a week by the application of either lime, wood-ashes, or copperas.



Herewith I give a diagram of a barn owned by Mr. Jesse Lockhart, of Niantic, Ill., which he erected for the protection of his hogs. Two years ago this gentleman informed me that he had been using this barn for three years, and that during that time, notwithstanding he had handled several thousand hogs yearly, he had not lost one from the so-called hog-cholera.

The foregoing design comprises two cribs with a drive-way and scales between, making a main building forty feet square and fourteen feet high, with gables at each

end of the drive-way. The pens attached and contiguous thereto are covered at right angles with the cribs; these pens—six side by side, or twelve in all—extend the building one hundred and five feet, which, added to the other apartments, makes the entire building cover a space of 145 x 40 feet. The pens, which are about six feet in height, have windows to each, with shutters, and may be closed tight or ventilated at will. The inner walls of the pens are four feet high, and the aisle and doors five feet wide. The doors open in opposite directions, and when one is opened it closes the aisle, so that hogs can be changed from one pen to another by simply opening two doors. Each pen is provided with a trough, and near the center is a force-pump supplied with a rubber hose long enough to reach to any part of the pens. With this apparatus, Mr. Lockhart informed me, he thoroughly cleaned his pens once a week. The cobs are scooped up and taken out daily, with all other refuse matter, and dumped out to the stock hogs, which are fed in adjoining lots, each lot containing fourteen acres. One of these lots is planted to soft maples and the other to black-walnut trees, the trees now being about seven years old.

Mr. LINFORD H. HAWES, Woodlawn, Jefferson County, Illinois, says:

We have no diseases of an epidemic nature among our farm-animals other than cholera among hogs and chickens, the diagnosis of which is not different from that heretofore published by the commissioners of the State of Missouri. There is no specific remedy in use among our farmers, though bicarb. soda has been used and claimed to be such remedy.

As a preventive for the disease among fowls, brimstone, *i. e.*, roll-sulphur, has been placed in their drinking-vessels to impregnate the water. Bicarbonate of soda is also used as a remedy, and, it is claimed, with excellent results. However, I believe it is generally admitted that fowls are exempt from diseases of all kinds if kept free from vermin. When on a new farm or cleared land they have access to a plentiful supply of insects and grubs found in decayed logs and brushwood, which argues that a liberal allowance of fresh meat, together with plenty of coarse gravel and scrupulous cleanliness, is all that is necessary to insure exemption from disease.

We have in some localities "milk sickness," with which domestic animals are liable to be attacked, and from the use of beef, milk, or butter, the disease is imparted to man kind. It is useless for me to repeat the symptoms so frequently described heretofore. The cause is as much in doubt now as it was at the first settlement of the country. However, it is claimed by a few who have given the matter consideration that the disease has its origin in poison by cobalt or black oxide of arsenic. The exhalations from the soil containing the poison gather upon the herbage or impregnate the water, and thus are transmitted to whatever partakes of either. Proof is offered in the fact that acid sulph. aromat. is an antidote for poison by cobalt, and it has been used with good results in what seemed hopeless cases of this poison among oxen.

Mr. HENRY GRUBE, Beaver Creek, Bond County, Illinois, says:

There is no general disease among any class of farm-stock except among hogs and chickens. Every boy knows a cholera hog or a cholera chicken when he sees it, but the most shrewd and knowing differ widely as to the cause of the disease. From my own experience I am satisfied that, with proper care and such means as are within the reach of every hog-raiser, no one need have cholera among his hogs. Through carelessness I have lost a number of hogs, which has only occurred with me in a busy time. My plan is to prevent, which can be done by placing common wood-ashes in a trough or on the ground, with salt scattered over them, and some kind of grain, bran, or meal thrown on top of that, say once a week. Besides this, place some stone-coal within reach of the hogs, and my word for it you will have no cholera. Burned bones will also be found a good addition. Arsenic is curative, but "one ounce of prevention is worth a pound of cure."

It is seldom we are afflicted with chicken-cholera, and therefore I have given the subject little or no attention.

There is no limit to the duration of these diseases. The average fatality is about 95 per cent.

J. BRICE, veterinary surgeon, Erie, Pa., gives the following diagnosis of a fatal cattle-disease which recently prevailed in that locality:

In reply to your inquiry respecting the cattle-disease which prevailed here for a short time, I would say that, so far as we know at the present time, it has completely subsided. Nearly all of the animals attacked died of the disease in length of time varying from a few hours to not exceeding five days. In some cases so rapid was the disease that animals thought to be in perfect health in the evening were found dead in the morning. (These sudden deaths were known only by hearsay.) The animals

attacked, so far as known, were all milch cows, and the only ones that recovered were young cows. Although some few others recovered, it is believed they were not suffering from the specific disease, but some disease consequent on overfeeding, and in some cases from lung disease. There may be a cause for all the animals attacked being milch cows, as the disease was confined to the city altogether, and few other cattle are kept in the city. In a barn in which was the greatest fatality there was a bull which stood through it all, his companions dying to the number of seventeen. Only two cows were left, one of which did not have the disease. The other, a young cow, recovered from a slight attack.

The disease was certainly splenic fever, charbon, or anthrax. The symptoms were extreme restlessness, loss of appetite, but not complete; thirstiness; fæces natural at first but frequently diarrhea afterward; the urine profuse, and during the latter part of the disease dark red or bloody-looking. The animal gave evidence of intense internal pain by her arched back, hanging head, and, if at liberty, by her constant moving, or, if tied, by pushing her nose into a corner and breathing laboriously. Although at first the animal had perfect control of her limbs, they became first weak, then staggering, and finally lost their power completely. She would then fall down, and, after a few ineffectual attempts to rise, would lie helplessly moaning until death relieved her suffering.

As to treatment, everything that was tried availed nothing. The fever steadily progressed to the end. Further research would seem to be something most devoutly to be wished for, and we hope that some measure of success may attend every attempt to find a cause and a cure for so fatal a malady.

All the cases in this section have been in that particular portion of the city where the cattle pasture over a large common, in direct communication with the railroad and cattle-yards, and where a number of Texan cattle were grazing after removal from the cars during the period of the recent railroad strike. Soon after that time the first cases were noticed, but the cool weather early in the fall appeared to check the disease, on the latter part of September.

Mr. S. P. THACKER, Vienna, Johnson County, Illinois, says:

Horses and mules have been affected with what is known here as periodic opthalmia. The first cases that came to my knowledge were in January, 1875. Only two or three cases occurred then. The disease has since become prevalent, so that there are numerous cases now within my knowledge.

The animal is attacked with inflammation and swelling of the eyes, nearly invariably beginning in the left eye; then, within from twenty-four to thirty-six hours the right eye is attacked in the same manner. The eye runs a clear, thin, watery fluid, and in some cases matters. While inflammation is in the eye the light seems to be painful to that organ. The inflammation lasts three or four days; then subsides, leaving the pupil of the eye of a milky color. In the course of four or five days the eye becomes apparently well again. The animal becomes nearly blind during the attack, but can see again very well after the attack is over. Some have become blind in one or both eyes after the fourth or fifth attack, which occurs at intervals of from three to seven weeks. The cases of longest standing seem to become more severe and of longer duration; but the attacks are not so frequent.

It is thought by some of our veterinary surgeons that the disease is hereditary, but I notice that stock of entirely different pedigrees are attacked by it. Bathing the eyes in warm salt-water appears to be of more advantage than any other remedy yet tried. This allays the inflammation, but does not prevent the recurrence of the disease.

Mr. W. J. BANKS, Elizabethtown, Hardin County, Illinois, says:

There is no disease affecting farm animals in this county except a disease among cattle mentioned in a former report to your department; but I am still unable to learn the name or nature of this disease. Cholera is prevailing among swine to some extent, but we are never entirely rid of this scourge in this county.

Mr. J. H. OAKWOOD, Catlin, Vermillion County, Illinois, says:

Hogs are very unhealthy here and are suffering from a disease called cholera. This disease manifests itself in various forms. Sometimes it seems to be congestion of the lungs, at other times sore throat, at another time rheumatism, and still again an affection of intestinal worms. Sometimes the disease takes the form of chills and fever, and then the hogs will lie in heaps in the warmest weather as they do in the winter season for the purpose of keeping warm. These diseases are all designated as "hog cholera," and no remedy is at present known. It is generally conceded that to

drive the sick hogs rapidly and heat the blood, and give but little food, is about as good a remedy as any other. In some forms of the disease tartar-emetic has been used successfully. Various other remedies are used, but all fail in a greater or less degree.

The animal usually lives but a few days after being attacked. In some cases hogs become affected and lose flesh; the appetite appears good, but it seems impossible to fatten them. In this condition they sometimes live for months. In cases like these the better plan is to turn on grass and give no food, and in a few months the animals may again become healthy. Seventy-five per cent. of all the hogs attacked by this disease die, and full ten per cent. of those that reach maturity in this county die of some disease other than the above.

Mr. Samuel Preston, Mount Carroll, Carroll County, Illinois, says:

Diseases among domestic fowl have been very fatal during the past and a few preceding years in this locality. My wife is of the opinion that a liberal mixture of wheat-bran with other food is a preventive of disease. It is also excellent for hogs confined chiefly to a corn diet, by keeping them from becoming constipated.

With the exception of distemper, which, in a few cases, has proved fatal, horses have been pretty free from contagious diseases. Since the epizootic passed over this country a few years since, a large fatality has befallen young colts. Probably fifty per cent. of these young animals have died the present season. Some attributed it to the effects of that disease.

A strange disease has attacked and proved fatal to my lambs during the past three seasons. It comes upon them about midsummer. From apparent health they die within from three to four hours. They are first noticed lying down in a natural position, separated from the rest of the flock. A fit or spasm seizing them, they will throw themselves upon their sides and, with eyes set, will soon expire. In 1875, I lost forty; in 1876, fourteen; and this season, four. None recover that are attacked. I have found that weaning the lambs early checks the disease.

Mr. W. O. Millard, who resides about two miles southwest of Milledgeville, and who is one of the largest and most careful stock-raisers in this locality, has been very unfortunate with his large stock of hogs during the past summer. He has lost one hundred and ninety head, sixty-one of which were large hogs, the remainder shoats. He claims that the disease which decimated his herd was nothing more nor less than typhoid fever, and thinks it will yet extend far more than it has in this and adjoining counties.

Mr. M. Davenport, Oxford, Calhoun County, Alabama, says:

Cholera among hogs is the most dreaded and fatal disease we have to contend with here as affecting any class of farm animals. It is seventeen or eighteen years since it made its appearance in this locality, and it now passes over this country as an epidemic about every other year. I know of no remedy for it, neither can I give any information in regard to its cause. Some years ago I lost three hundred head of hogs by its ravages in the short space of fifteen days. The disease has prevailed among my hogs six or eight different times, doing great damage at every visitation. I have tried almost every prescription recommended as a remedy without any beneficial results whatever. If, in your proposed investigation, you succeed in finding either a preventive or a cure for this terrible malady, you will receive the thanks and blessings of hundreds of thousands of stock-raisers in this country.

Mr. J. Ellwood Hancock, Columbus, Burlington County, New Jersey, says:

I have had some experience with pleuro-pneumonia in cattle, having lost one-third of my herd from its ravages in 1861, when I succeeded in eradicating the disease after a duration of about six months. I had a second visitation of the malady in my herd in the early part of 1876, when I lost six head from a herd of twenty-three. My experience is that it runs its course in not over three weeks after the animal becomes so much affected as to prevent its eating—usually in a shorter time. Of the animals affected, I am satisfied not more than one-third will recover. I applied to a veterinary surgeon, who prescribed a powder which I think was a benefit, giving it, as I did to the whole herd as soon as it was ascertained the disease was present. After the disease is fully developed in an animal I have very little faith in medicines, as a large proportion will die with the best treatment. Although my whole herd was not really sick, the larger part of it showed signs of the disease; some only for a few days however. It remained among my cattle for about four months. I am of the opinion that on both occasions the disease was introduced by cattle purchased by me. The first case showed itself in about six weeks after the introduction into my herd of the

infected animal; in the second case it was at least four months. I regard this as the worst feature of the disease—it remains dormant in the system of the animal for so long a time before it is imparted to others.

During the past few years this terrible disease has caused great loss to farmers in this section of the State. Many have had to contend with it, and numbers have suffered heavier losses than I have.

Farmers in this locality are also suffering great losses from chicken-cholera. The fowl is taken with diarrhea and sits moping about for a few days and dies. But few of those affected recover. Many preventives have been tried. I believe cayenne pepper, asafetida and composition powders, used freely in the feed, are useful as such. Cleanliness in roosts, gas-tar, carbolic acid, &c., are useful; but the preventive or remedy remains to be discovered which will give absolute security.

Mr. JAMES H. SWINDELLS, Lancaster, Dallas County, Texas, says:

We have not been troubled with diseases among any of the lower animals except among hogs and chickens, both of which were, and now are, affected with what is termed cholera. Until a year ago the hogs in this locality were not affected with cholera. The disease was brought here by the importation of stock from Wise, Montague, Parker, and Johnson Counties, a tier of counties lying in the lower Cross Timbers, west of this point. When they arrived they were herded with hogs raised here. In less than a week the imported hogs became diseased and commenced dying rapidly. The affected ones were separated from the others and various remedies were made use of to check the disease and, if possible, cure it. None of the remedies used seemed to be of any benefit, and nine-tenths of those affected died. The disease soon spread to the native stock, and since then (last fall) there has been more or less of the disease present.

The symptoms observed are as follows: Indisposition to move about or to eat; lying down most of the time; diarrhea, with excrements first of a natural character, but gradually getting darker until the evacuations became almost black; fever, the temperature in some cases running up to 108° F., but generally to about 102°. Before death the animal would vomit a dark-green or black fluid, swell up, and the odor emitted would be very offensive.

The only effective way of checking the disease would seem to be to separate the diseased animals and put them into a clean lot having running water in it. I had a few hogs which were taken sick with this diarrhea. In a day or two the discharges became of a light-green color, and very thin. I relieved all of them but one (I believe seven were attacked) by the administration of calomel. For a hog weighing one hundred pounds I would mix one dram of calomel with a handful of meal and a little milk, and let them have that much in the course of twenty-four hours. They would generally eat a little at a time until the whole is disposed of. The calomel did not seem to purge. On the contrary, the bowels would check up, and in from one to two days the animal would commence eating corn and would get well without any further trouble. The one which died would not eat the meal in which the calomel was mixed.

Mr. W. DUNLEY, Hennepin, Putnam County, Illinois, says:

A disease called cholera has prevailed to a great extent among hogs in this locality during the past few years. Many of our farmers have at different periods, and within a very short time, lost most of their stock by the ravages of the disease. No positive remedy has as yet been discovered.

During the past summer I lost about eighty hogs by the disease. I used all the different remedies recommended, but they continued to die daily until I was told that oats was a specific. I at once commenced feeding dry oats, and no more died. Three were sick when I commenced feeding the oats, but they recovered, and I have lost none since.

A great many fowls have died in our vicinity of a disease also called cholera. No remedy or sure preventive has been discovered for this malady.

Messrs. DANIEL A. and JACOB MILLER, Farmington, Davis County, Utah Territory, write as follows:

Sheep are the principal stock product of this locality. Among this class of animals a disease prevails called scab, for which the following remedy is used: One peck of unslaked lime and twenty-five pounds of sulphur dissolved in water. A tank or hogshead is filled with the water in which these ingredients have been dissolved, into which the sheep are dipped. These dippings are generally required once or twice a year. Another remedy is to make a solution by adding to water sufficient for the purpose one pound of tobacco, one-fourth pound of gunpowder, and two ounces of arsenic.

This solution is poured on the backs and other affected parts of the sheep. Sometimes a small amount of red precipitate is used, but this is considered dangerous.

But few hogs are raised here, and they are generally healthy. However, there have been some cases of cholera, but how the animals were treated I cannot say. Fowls are generally healthy, with no prevailing disease.

Mr. T. H. Barr, Augusta, Macon County, Illinois, says:

Hogs have been destroyed every year for the last twelve years in this locality by a disease known as "hog cholera." The disease has never, as far as I have been able to learn, prevailed in the open prairie without our being able to trace it to some marked source of contagion, such, for instance, as native swine coming in contact with hogs brought in from localities where the disease was prevailing. The disease prevails almost continuously along the timber belts on the water-courses, owing doubtless to the fact that hogs are suffered to run at large, while many careless persons throw the dead carcasses of the animals into the streams, thereby spreading the disease along the whole length of the water-course below.

Where the disease breaks out spontaneously as it were, the symptoms are a violent cough attended with high fever. I have been told that on examination of such cases after death the lungs were found in a decayed or rotten condition, while the other vital organs presented little or no derangement. Such cases originate in close, ill-ventilated quarters, such as are found under the floors of old buildings or about or under straw-stacks. The carcasses of such, if eaten by well hogs, or even the droppings from them will communicate the disease in a more intensified form and fatal character than that described above. With the latter cases the hogs die more suddenly than in the first instance, sometimes within twelve hours from the attack, while the former will often linger for days. In some cases the latter, in addition to the cough and high fever, will be extremely costive; in other cases the animal will be affected with an active diarrhœa. Some will swell up about the ears, the skin will crack open and the blood will ooze therefrom. All or nearly all of those thus affected die. The few that do recover had better die, as they rarely become thrifty again.

We have never yet found a remedy that will effect a cure. The best informed stock-raisers are of the opinion that relief must come, if it ever does come, through preventatives rather than through remedies.

Those of us who have been most successful in keeping our hogs free from disease have done so by giving them good, comfortable, clean, well-ventilated quarters, and as a general thing those who most nearly meet these conditions have the best success.

Fowls are affected and thousands die annually by a disease known by the name of cholera. The symptons are about as follows: Two or three days before death they will appear droopy and stupid; eat but little if any; become very thirsty; have a very active bowel-complaint, and finally drop down dead. Another symptom is seen in the gills and comb of the fowl, which become pale soon after attack. The only remedy that has yet been employed with success here is to rid the premises of fowls for twelve months. After that they may be kept again for a few years free from disease. There are those who are of the opinion that fowls exhaust something on the premises that the system requires, and until that constituent is replaced they cannot live and thrive.

Mr. R. K. Slosson, Verona, Grundy County, Illinois, says:

The hog seems very much more subject to fatal diseases now than he did forty years ago. To arrive at a correct etiology of the diseases of this animal, which forty years ago were unknown, we are forced to notice the then physical condition of the animal as compared with his present, tracing the changes which have been effected by confinement, change of food, and the practical method of producing new varieties which shall take on the greatest number of pounds of muscle and fat in the shortest time. Of all the domestic animals the hog is the most easily made to undergo changes of form and temperament, and hence it is that the varieties of the hog are continually increasing. New breeds, well advertised and puffed, are multiplying, and the great and only object appears to be to find a variety that shall eclipse all others in maximum weight at the earliest possible period of their existence. In the insane pursuit of size stamina of constitution are lost sight of, and the hog-raiser who has three hundred head to-day in four weeks' time may be reduced to half a dozen head. He sustains a loss of $3,000 from the emasculated system of the hogs making them susceptible to disease which a healthy and strong constitution will not take on. A change of constitution was doubtless brought about in part from confinement, a condition unknown to the hog before domestication. Confinement, as all physiologists know, decreases muscular growth and strength, and the nervous energies are correspondingly weakened. On the heel of this a change of food takes place. Indian corn is fed in many parts of the country to the exclusion of those kinds of food upon which he had previously lived for hundreds of years perhaps, and corn is almost exclusively fat-producing. This combination

ion of new circumstances and conditions necessarily produces physiological changes in he system, and these changes being, to say the least, partially abnormal, the body is repared to take on diseases which were originally unknown to the hog. It is these hanges which create a predisposition to disease which hitherto inoperative causes ave failed to develop, but now being brought into action the enervated system falls n easy prey. Is it not reasonable to suppose that muscles accustomed to daily toil or sustenance, when deprived of that healthful exercise, should become weak, flabby, nd deprived of much of that vitality which constitutes perfect health? Departures rom the irrevocable laws of animal life in its perfection is invariably accompanied rith loss of some kind, and hence violation of physiological laws are dangerous.

We need not wonder that an active nervous system, from close confinement and elief from all anxiety about satisfying hunger, should change the temperament to a mphatic one, which is the prevailing one of fat animals as a rule. We need not onder that changes so conspicuous should lead to disease and a shortened span of fe; that stamina of constitution and longevity should be wiped out with the sponge f disease. We conclude, then, that the above causes indicate a condition of the sys- em which predisposes it to the taking on of certain diseases so fatal to the hog. hese are, in medical language, the remote causes; the immediate causes now require brief notice. The class of diseases which, under various forms, takes off so many ogs, horses, and cattle, has proved a stubborn enemy to veterinary students; and *est-mortem* examinations have only revealed the existing pathology of diseased parts, ot the immediate existing cause of the phenomena presented. This class of diseases em to belong especially to the mucous membranes, those tissues which are exposed the direct action of causes existing in the atmosphere or in the food. The causes f epizootic diseases, and those which produce typhoid types of disease through the edium of the bowels and stomach, are floating in the air, or exist in the food taken nto the stomach. It is now admitted by some of the best authorities that epizootic iseases are caused by a vegetable growth, the minute spores of which are breathed nto the lungs, as they are floating in the air we breathe, and also that some typhoid orms of fever, as hog-cholera, are of either animal or vegetable growth, and that the pores or minute eggs are introduced in the food. What is singular to the non-physi- logist, these spores coming in contact with healthy mucous surfaces will not vege- ate, showing that certain, definite conditions are required in this membrane to pro- uce disease at all; or, in other words, there must be a peculiar abnormal condition of his membrane before there can possibly be a development of these diseases. A fur- her examination of the matter of the stomach and bowels by a powerful microscope very desirable, that more positive and reliable knowledge may be gained, which ay point out a treatment which, thus far, has been little less than an opprobrium veterinary practice.

Symptoms of hog-cholera are not unfrequently modified, or new symptoms added. he characteristic symptoms, which are never absent, are fever, refusal to eat, dispo- tion to lie undisturbed, and a fetid discharge of dark-colored fæces. We suspect the istinctive feature which shall distinguish hog-cholera from all other disease will be ound in the peculiarity of the fecal discharges, and these can only be demonstrated by areful microscopic investigation.

The treatment upon which any reliance can be placed, so far as we know, has not t been discovered. It is true quackery raises her hydra head, and floods the country ith sure cures, but whether from medicine taken or in spite of it, we do not know. s a rule, about the time we find out the hog is really sick, the disease is so far ad- anced that remedies may be considered useless. We have seen it stated that turpen- ne has been given, about a teaspoonful to the hog, and with success. A further trial desirable, for it is not impossible that turpentine may kill those minute specks of fe without injury to the mucous membrane. An accidental discovery of this kind ould save millions of dollars annually. But there are other diseases, among which eumonia is not uncommon and often fatal. For instance, we have known cases here the hogs piled themselves up on the wet ground under cover, so that they be- me steaming wet; they then rush out into the cold air to eat their corn, take cold, and e of pneumonia. Hogs are often troubled with worms, which greatly disturb di- stion and make the appetite capricious, keeping them thin in flesh. Copperas in eir swill, at the rate of two table-spoonfuls to the pail of swill, will clean out the orms and greatly improve the health of the hogs. Repeat this twice a week for a w weeks. A large farmer in Kendall County this fall lost 300 head of hogs, but he me to the conclusion, whether the true one or not, that the disease was not true olera, but a form of disease which he believes was produced by a stagnant pond of ater in the field. They were in the pond a good deal, and the pond was covered with green scum. This may have been a malarial disease in some respects analogous to e genuine cholera.

Since, from the nature of the case, the disease is not noticed until it is fastened upon e system and beyond the stage in which curative measures may prove successful, it wisdom to fall back on a surer and more feasible plan—precautionary measures of

prevention. The question arises, What may be considered in some sense prophylactics in this class of diseases? The answer is, Preserve a healthy play of the organs of the body, and the causes producing these diseases cannot act on the mucous membranes, and consequently no disease will be produced. A weakened and partially diseased mucous surface seems to be a prerequisite to the sprouting of spores in the lungs or the hatching of eggs in the stomach and bowels. Right here we are met with the very pertinent question, Can we prevent the devolopment of disease where the predisposition is always present by any treatment of the animal? Like hereditary consumption in man, so long as the health of the animal is sufficient to resist the causes acting on the predisposition, so long will the disease be absent. What, then, can be done toward saving millions of hogs annually? First. They must have a dry and comfortable place to sleep, and this apartment should be cleaned out every few days, and, if necessary, washed out also. Second. They must have clean water so arranged that they can drink whenever it suits them. Third. They should have salt at least twice each week and stone or charcoal, which is better, every week. Fourth. They should be fed upon a clean floor, and their feed should be mixed or frequently changed: cooked food, with apples or potatoes for desert, and then corn in the ear or hasty pudding. Fifth. In summer they should have all the timothy and clover they will eat. This treatment would doubtless save a host; but so long as a predisposition exists there will be more or less disease, and so long as new varieties are being developed there will exist an instability in breeding, which tends to weaken rather than strengthen the constitution of the hog. We doubt seriously whether hog-cholera, under present modes of breeding, can be either prevented or successfully treated. Still, accident may discover a remedy which will kill the living cause of disease without injury to the animal. Of course we do not recommend going back to the "alligator pike" or the "Ohio rooter," charged with stealing potatoes out of the second row in the adjoining lot. We do believe, however, that the hog needs more exercise, a greater variety of food, and that he should not be bred in and in, as all our best breeds have been. We have too many varieties now, and the more we get and undertake to breed them pure, the weaker and more liable to disease will the hog become.

Mr. E. STOKES, Berlin, Camden County, New Jersey, says:

We have been exempt in a great measure from diseases among our farm-animals in this immediate vicinity for some months, except a disease affecting the horse. This malady is very fatal, and a number of horses have been lost in the southern portion of this county and many in Atlantic County. They are taken suddenly with great weakness, and in many cases very soon after eating a full feed are unable to stand and in four or five hours become perfectly blind and experience great difficulty in breathing. They die within from twelve to twenty-four hours. Almost every case has proved fatal. Mares seem much more liable to be attacked than horses. I have heard of no mules being attacked by the disease. Horses in prime condition are as liable as those that are not, and young ones are rather more liable than old horses. I think the disease is somewhat on the decrease at this date. Some localities are entirely exempt while it may prevail on almost every side. Should the disease become general, it will prove much more serious than any malady we have ever had among our horses.

Both hog and chicken cholera are prevailing to some extent in this locality.

Mr. J. C. THORNTON, Elliott, Ford County, Illinois, says:

A disease exists among hogs here which has proved very fatal. In the fall of 1875 I lost all but sixteen out of a herd of one hundred and twenty. The symptoms of the disease vary a great deal. The first symptoms are invariably manifested in a dry cough, great thirst, and sometimes purging and vomiting. As a general rule, hogs, while under the influence of the disease, are very stupid. The duration of the disease also varies. Some of those affected will linger along for a month or two; some will apparently get better, but after a while the flesh will begin to drop off in places, and then the animal will soon die. The larger portion of those attacked will die in a few days. I gave new milk from a fresh young cow to the first two of my hogs that were affected, and they got well; but I could find nothing that proved of any benefit to the others. I used stone-coal, copperas, sal-soda, sulphur, alum, cayenne pepper, &c., without any beneficial results.

The disease prevailed in an epidemic form, as hogs were attacked without coming in contact with infected stock. During the fall of 1875 at least 1,000 head of hogs died of the disease in this township, a tract of land only six miles wide and about nine miles in length.

In the fall of 1876 the disease prevailed again to a considerable extent, and many hogs were lost. The symptoms were about the same as those given above. During the past summer the disease again made its appearance, but this time in a milder form.

A disease called chicken-cholera has proved very fatal to fowls in this locality. The fowl, when attacked, becomes stupid, refuses to eat, and in a day or two will die. Sometimes the comb or gills will turn pale or white. As a preventive, we use copperas in the water or in the feed with good success.

Mr. THOMAS TASKER, Angola, Steuben County, Indiana, says:

This county has been comparatively free from diseases of farm-animals, with the exception of epizootic or distemper among horses. The disease made its appearance last July, and still prevails to a considerable extent. It is very difficult to contend with or manage. The horse is affected with a cough—something like distemper—but the irritation seems confined to the glands, and the disease appears similar to glanders. The horse will have the heaves to all appearances until the glands are relieved. It has proved fatal in some cases.

As a remedy, four ounces of chlorate of potash to one quart of water has been used with good results. A spoonful of this preparation should be injected into each nostril every morning and evening until a cure is effected. Some medicine that will act readily on the kidneys will also be found useful.

Mr. N. N. HALSTED, Newark, Hudson County, New Jersey, says:

In 1859-'60, the first year of the appearance of the pleuro-pneumonia in this State, I had the honor of being president of the State society, and, with Governor Olden's assistance and the generosity of some few of the members and officers of the association, we made an exhaustive examination into said disease; bought the diseased cattle, quarantined them, killed some and made, through our surgeons and veterinary surgeons from New York and this State, a careful autopsy of several we killed and many of those that died. The result of these investigations was published in the annual report of the State society. We went to Boston and made a thorough and careful examination there, and decided that the disease was an imported one.

The disease was brought into our State by Mr. Johnson, who bought six calves from the swill-milk stables in Brooklyn, N. Y. These brought the disease to his herd. The society stopped it there and we had no more of it until our Union County farmers bought some more swill-milk-stable animals, and, being sellers of milk, kept the matter quiet, or hid it from the officers of the society until the whole neighborhood was infected. This has been stamped out by a rigid quarantine and the use of carbolic acid, used as a disinfectant and by the animals inhaling it. They have some of it now in Burlington County, produced from the same cause, which is being eradicated by the same means.

Our society crushed out the Spanish fever by killing all cattle affected with it at the cost of the owners. All animals that die of this disease should be buried six feet under ground—hides, hoofs, and all—and the sheds whitewashed with quick lime and carbolic acid, as the disease is infectious.

Mr. Z. E. JAMESON, Irasburg, Orleans County, Vermont, says:

Hogs here are generally healthy, but during the past ten years there have been many cases of apparent paralysis of the hinder parts of young hogs, ranging in age from three months to one year old. At the present time a neighbor has three, about five months old, so affected. One of these cannot walk at all, one can only walk with his fore legs, and the other can use his hind legs but little.

These pigs have been kept in a pen 10 by 12 feet, with a plank floor, and fed almost entirely upon sour milk. Within a few days they have been allowed to run in a yard where they could have access to the soil, but no grass or green feed. No remedy is known. Some die. Others live until they are in tolerably fleshy condition, and are then killed for meat. The cause of this trouble may be in the lack of variety in food.

Mr. J. S. LATIMER, proprietor of Cedar farm herd of short-horns, Abingdon, Knox County, Illinois, says:

Diseases of horses in my locality consist in what are familiarly known by our quack horse-doctors as bots and epizootic or distemper, the first of which affects the horse internally. The remedies usually recommended and applied are too numerous to mention. Each doctor has a different one, and the remedies kill about as often as they cure the animal. No effectual remedy has yet been found, as a horse once affected with the disease never entirely recovers. The epizootic is a malady which affects the lungs and throat, and sometimes spreads to the limbs and body of the horse. We have what is known as regular distemper, which is of a milder form than the epizootic; but both are evidently the same disease. The quacks have different remedies, with none of which am I conversant. The disease attacks and destroys animals rang-

ing from six months to two years of age. It seems to be contagious, and prevails at all seasons of the year. It is usually more fatal to older stock, as about 10 per cent. of those affected die, and those that do not are rendered comparatively worthless.

The cattle in this county, all along the line of the great thoroughfares, are subject to attacks of the Texas cattle fever. In this county we are annually subjected to it. Then we have the disease known as black leg, which is virtually a blood disease. It affects young stock principally, mostly calves from three months to one year old, and is very rapid in its course. The calf frequently dies within thirty-six hours after the first symptoms of the disease are observed. On skinning the animal, all the blood vessels of the legs and neck are usually found clotted and gorged with black blood. So far no remedies have been found. In certain localities in the county it is more virulent and fatal than in others. When a lot of stock is attacked it usually goes through the whole herd. It is very fatal, and I regard it as contagious. Perhaps 6 per cent. of the young stock of the neighborhood die of it. Usually the calves that are in best condition die first; thin ones are rarely attacked.

Another troublesome and growing disease is that of abortion in cows. The disease is little understood—indeed its causes are a mystery to us all. I believe it to be a blood disease, and under certain conditions contagious. When once started in a herd of cows let them be ever so healthy, it is apt to affect them all. They lose their calves anywhere from three to seven months' time. Unless well cared for many of those affected will die, or if they do not they will afterwards prove worthless as breeders. I have tried, and seen tried by a great many others, various remedies, but all have proved worthless. Changing from one pasture to another, and separating the well from the affected ones, will sometimes do good for a short season; but the disease will usually break out again, perhaps affecting cows that were previously exempt. The opinion generally prevails that the disease is contagious. For the past two years I doubt if 10 per cent. would cover the annual losses from this malady.

We annually lose at least 20 per cent. of all our hogs and pigs by a disease commonly called hog cholera. Many diseases are classed under this head, and some of them are no doubt the result of local causes, such as bad treatment, confinement in filthy and unventilated buildings and pens, &c. Worms in the throat and intestines is one of the symptoms of the so-called cholera. Many specifics are used, but no certain remedy has as yet been found. Copperas, sulphur, charcoal, turpentine, asafetida, antimony, and many other drugs have been tried, but usually without satisfactory results. The disease is certainly contagious, and one of the best preventives is to separate at once the sick from the well hogs, and divide the well ones up into small herds. A change of feed from corn to oats, bran, &c., will also be found beneficial.

Mr. G. W. BALDOCK, Charlestown, Clarke County, Indiana, says:

The disease known here as hog cholera seems to prevail all over the hog-growing country. It prevails as an epidemic in this neighborhood and county. Mr. David Lee recently lost one hundred and twenty-three head; Mr. Isaac Koons two hundred head; Mr. Floyd Ogden, two hundred head; Mr. Samuel Lewman, forty head; Mr. G. B. Lee, 50 head; Mr. John King, 50 head; Mr. David King, 35 head; the writer, 50 head; and so on throughout the entire neighborhood. All diseases affecting swine are erroneously classed under one head—that of cholera. My hogs were afflicted with what I considered a lung disease, the symptoms of which were about as follows: The animal became very stupid, and lost its desire for food. It would mince slightly of its food, but would swallow but very little. Some of them would cough a great deal and others but little, while still a few others would not cough at all. Although the coughing showed the presence of disease, I did not consider it one of the leading symptoms. After the disease becomes fully developed they become constipated, and the fæces hard and very offensive. They nest around and seem to want to sleep all the time; eat nothing and soon die. There is no known specific remedy for this disease, be it what it may. As a remedy I tried sulphur and copperas, wood ashes, and soft soap. These things seemed to give the well hogs a fine appetite. I gave one shoat a half pint of castor oil, which purged it freely and it recovered. As soon as I commenced feeding the above ingredients I had no more sick hogs. Perhaps some of them may prove a preventive, but I am sure neither of them can be regarded as a remedy.

My wife has lost a great many fowls by cholera. We tried many supposed remedies but without avail.

My neighbor, Mr. A. J. Crum, lost eleven head of cattle this summer by an unknown disease. They would froth at the mouth, quit eating, and soon die. He tried no remedy.

Mr. JAMES E. FOSTER, Brownstown, Fayette County, Illinois, says:

While we have lost heavily the past season with hog cholera, still I do not feel competent to give an intelligent diagnosis of the disease. I think there are two or three

different diseases classed under the name of cholera. In the spring season the animals are affected with something like influenza. They cough and exude an offensive matter from the nose, refuse to eat, and pine away and die in from one to three weeks. Another and more fatal form is, I think, a typhoid or bilious fever. The symptoms are vomiting and sometimes purging. Those afflicted in this way die within a shorter time than the others, say within from one to six or eight days. The fatter the hog the more rapid and fatal is the disease. The percentage of recoveries in this form is very small. Remedies are attended with little success, as the animal is a hard subject to get medicine down. There seems to be no intelligent mode of treatment, and the trouble and expense often equals the value of the hog after recovery. I think measures of prevention will be found both more practical and more profitable. I would therefore suggest the isolation of the sick animals and the burying of the dead carcasses.

Mr. JOHN C. ANDRAS, Manchester, Scott County, Illinois, says:

In this vicinity the losses have been very great from diseases among hogs, that of cholera being the most prevalent. The loss of pigs recently, from one to two months old, within a circuit of two miles, has been over 400 head. In a herd of 150 head only two were left; in another of 90 head but 8 were left. The first symptoms were extreme chilliness, even when the thermometer ranged from 90° to 95° Fahrenheit. This was shown by their crowding in beds at mid-day, and a general discoloration of the skin, that of black hogs assuming a gray or purple hue, and the white animals a pinkish tinge. This was followed by high fever and a general breaking down of all the animal tissues, and fatal results within from three to five days. With older hogs the preliminary symptoms are the same, but the fatality is not so great. Recovery is generally followed by loss of hair and sometimes the sloughing off of large pieces of flesh. The animal is almost worthless for feeding purposes for at least one year.

As to remedies there have been none found that can be relied on with any certainty. Different compounds of antimony, arsenic, poke root, and iron (sulphate of iron), are used in some cases with apparent benefit. Dissection shows a general inflammatory condition, centering sometimes in the stomach, but more generally on the lungs. The general breaking up of all the animal tissues is shown by rapid decomposition as soon as death ensues. The usual bird scavengers seldom feast on the carcass of a hog that has died of cholera.

There are several other diseases which hogs are subject to, among which is pneumonia. The symptoms are high fever and general debility, and ultimately extreme emaciation, with small percentage of death. Long continued and the best of feeding will rarely overcome the extreme leanness of the animal. Dissection generally shows atrophy of part of the lungs, and general adhesions. I think a thorough investigation of this subject by competent persons would result in great good to the entire country.

Mr. P. T. GRAVES, Burkville, Lowndes County, Alabama, says:

All kinds of farm animals, with the exception of hogs, have been healthy during the past few years. Hogs have been affected more or less fatally each year for some years past with a disease known as cholera. The disease manifests various symptoms, the most fatal of which is purging. The excrement of the hogs affected in this way is of a greenish color and starchy consistency. No settled conclusion has been reached as to the cause of this malady, nor has a remedy been found. Two points, however, seem to have been conclusively determined, viz: First, that the disease commences in damp, warm, weather, during a favorable season for vegetable growth and fungoid formations. The hogs feed greedily on growing vegetation, with us mostly on cotton, and if allowed all they will eat the result is invariably disease. It is thought that atmospheric conditions have considerable influence in producing disease. Second, we find that hogs taken from a range where the disease has been developed, but showing no signs of infection themselves, if confined on dry ground and fed dry food they will escape the disease. But a clearly marked case of hog cholera is contagious, and the disease should be so treated. Those that have been so affected should never be used as breeders, as the taint will be imparted to the offspring. There are many remedies, so called, but caution and preventive measures will be found the most profitable.

All kinds of fowls have suffered to a great extent with cholera this year. Entire flocks of turkeys, geese, ducks, and the common barn-yard fowl have died from its effects. The disease is more fatal with the Asiatic breeds than with the more common kinds. No treatment has been tried with sufficient care to warrant a favorable opinion of its efficacy. Lovers of fowls and eggs will be grateful for a sure remedy for this scourge.

Mr. JOHN F. LAFFERTY, Martinsville, Clark County, Illinois, says:

I keep but few hogs, as the losses are so great that the business is not profitable. It frequently occurs that an entire herd is lost. While the disease is generally, almost

invariably termed cholera, the symptoms are sometimes very different. For instance: Last summer my hogs first showed a lack of appetite, weakness in the back and a staggering gait, dullness of the eyes, general feverishness and great thirst. Finally they would fall down with a spasm, froth at the mouth, and squeal from the intense pain of cramping. The first stage would last from one to two weeks, but after the spasms set in, which daily increased in frequency, but three or four days would elapse before death would ensue. I lost eleven head out of a herd of nineteen with the above symptoms.

In August and September many farmers lost their fat hogs by what was supposed to be sore throat. They would refuse to eat, apparently because it hurt their jaws to masticate their food. In two or three days they would die, apparently without pain.

Chickens, too, are subject to a disease generally called cholera. I am of the opinion that the disease has its origin in the liver, as that part is usually found enlarged to three times its natural size. We often find the livers of apparently healthy fowls entirely too large.

I have tried all the popular nostrums and many of those little known for both hogs and chickens, but none do any good. We generally separate the sick hogs from the well ones and let them die. We kill and bury the chickens, or feed them to the hogs as soon as we discover any symptoms of the malady. I do not know whether the killing of affected hogs would arrest the disease, as I have not tried that.

Hogs and chickens are about the only classes of farm-stock affected in any way with disease. So fatal are the maladies which affect these that farmers have almost abandoned both.

Mr. JAMES T. COLEMAN, Collier County, Texas, says:

At this time we have no fatal diseases among farm-animals worthy of notice. At times we have had lung-fever and staggers among horses, and occasionally a few cases of malignant distemper. Cattle have suffered but little. Some cases of bloody murrain now and then occur, but so seldom that the subject is hardly worth noting. We have but few sheep in the county, and as far as I am advised no disease exists among them. Hog and chicken cholera prevails to a less extent than usual. All diseases affecting hogs and chickens, from time to time, are designated under the one head, cholera. The general symptoms in chicken cholera are about as follows: The comb and wattles turn pale, the fowl becomes droopy and stupid, the excrements are watery. Death ensues in a few days. Sometimes fowls that are in apparent good health suddenly drop dead. On opening such the liver appears enlarged to three or four times its natural size, and is quite rotten. Copperas, calomel, red pepper, and tannin are used as remedies, and sometimes with good results.

Mr. LUKE TEEPLE, Belvidere, Boone County, Illinois, says:

I have had no disease among my farm-stock except a disease known as chicken among chickens. It was very fatal, as my entire flock died with the exception of a few young chickens. I tried many remedies but all to no purpose.

A strange disease recently attacked one of my neighbors' pigs, shortly after they were weaned. They would be found sitting in the position of a dog. When disturbed, as often when they were not, they would start off on a run, and heedless of where they were going they would often dash themselves with great force against any obstructions that lay in their way. They would fall down, get up and stagger around awhile and fall down again, and then lay and pant as though they were tired and almost exhausted. At other times they would jump up into the air, and continue to do so until death would relieve them of their suffering. The pigs generally died within from four to twelve hours after the first symptoms were observed. As high as fourteen pigs died of the disease in one day. As a remedy, saleratus was used at the rate of one pound to twenty pigs. None died after the administration of the second dose.

Mr. J. C. PEAK, Vera, Fayette County, Illinois, says:

There has been no disease in this section, of any consequence, among farm-animals for some time past, except the so-called cholera among hogs. This disease appears at all seasons of the year, in hot and cold, dry and wet weather alike. It attacks all breeds, ages, sizes, and in all conditions, whether fat or lean. It appears in various forms, all of which generally prove fatal. Some seasons it is most prevalent among pigs and shoats. At other times these escape and the older hogs will be attacked, while during other seasons those of every age and condition will be suffering from it at the same time. The disease is generally preceded by a cough, sometimes low and suppressed and at others harsh and whooping. Sometimes the animal is costive and passes hard black lumps covered with white slime. Some will pass blood and also bleed at the nose. At other times the disease will assume the form of diarrhœa

he animal will purge severely and pass large quantities of black offensive matter. nternally we find the effects of the disease differing as widely as the symptoms. Vith some the lungs are found in a normal condition, while in others they are found iseased and decayed, as is also the liver. I have known instances where hogs would ie very suddenly, and upon examination a shoulder, ham, or other portion of the body ould be found bloodshotten and in some cases mortified. Last year I had forty head hich seemed perfectly well one day, and on the next day they were sore, stiff, and ame. I lost thirty of them within as many days. I do not believe the disease conagious. I have known well hogs from other fields and farms to bed with diseased, ying, and dead hogs, and yet not become infected. Again, I have known those that ere kept at a distance of a half-mile from diseased hogs and yet become affected ith the malady.

Mr. J. BALLARD, Niles, Berrien County, Michigan, says:

Preventives for what is known here as hog cholera will be found better than cures. great deal of this disease is produced by uncleanliness and a lack of pure water durg dry seasons. Another cause is no doubt found in an exclusive corn feed. This food dry and heating, and soon produces fever, which is one of the first symptoms of soalled cholera. If hogs are kept on good clover pasture, where they can have pure nning water to drink and wallow in, with salt, ashes, and charcoal within their reach, nd an occasional dose of sulphur, they will generally remain free from the disease. n occasional change of feed is always desirable, as but few animals will thrive connually on the same kind of food. The symptoms of the cholera are almost as various s the hogs themselves. Sometimes it will begin with a cough; one will appear lame a hind-quarter, while another will bleed at one or both ears or at the nose; another ill lose all its hair and bristles; another will eat heartily at night, in apparent good ealth, and will next morning be found dead. I have no remedy.

The symptoms of a disease affecting horses, known under the general name of epiotic, are a cough and loss of appetite, and soon a discharge from the nose. Rosin, altpeter, ginger, and indigo are used as remedies with good results. The animal should e kept warm and comfortable, and given warm food of boiled potatoes and bran mash, r anything he will eat. Rub frequently and thoroughly, and give exercise, but not nough to heat the animal. The above remedies and treatment cured the worst cases e have had in this vicinity. Where strong medicines were given, several animals died, nd others were a long time in recovering.

There is no prevailing disease among cattle at present. Occasionally we have a case f milk-fever among cows. A preventive for this trouble will be found in bleeding the nimal a week or ten days before calving, and giving her a sufficient quantity of Epom salts to thoroughly physic her.

Mr. W. P. COOPER, Alexandria, Calhoun County, Alabama, says:

The disease affecting horses in this locality for the most part is simply colic, caused y overwork and irregular feeding. All horses are more or less affected with bots, ut they seldom attack until disturbed by an accumulation of gases. To prevent colic, oderate work, regular feed, and a proper amount of green food are necessary. If the hysical condition of the horse is reduced disease will surely follow. As a remedy for olic, one ounce of chloroform to three ounces of sweet milk and one pint of whisky, ixed with one pint of water, and used as a drench at the mouth, will cure ninetyine cases out of one hundred. As a remedy for bots, drench with one quart of lard oil. f not relieved in thirty minutes, repeat the dose. I have seen the bot die almost imediately when dropped in hog's lard. The grub breathes through the pores of the body, nd when oiled they cease to breathe and death ensues. Nitric acid will not kill them, ut oil will.

Native cattle here are subject to but few diseases, but imported cattle almost all die f a disease we call murrain. But few live to become acclimated. The symptoms are es feverish and excited; disposition to stand in water; very thirsty; discharges of loody urine. In two or three hours the animal becomes uncontrollable and dies suddenly. On *post-mortem* examination one portion of the stomach is found perfectly dry. here is also found a large extended gall or bladder filled with bloody secretions. In he region of the heart are found collections of fluid which seems to be an overflow of bile om the gall. The disease is very fatal. We have no remedy.

Cholera is the only disease which seems fatal among hogs. When attacked the hog comes stupid, its eyes matter, and it is often stiff and lame. Sometimes the animal constipated and at others exactly the reverse. As a preventive, sulphur, copperas, alt, and strong wood-ashes in equal parts, mixed in slops, is given once a week. Cabage leaves are regarded as an excellent food for sick hogs, and many believe them to a cure for the so-called cholera.

Fowls are invariably healthy when kept clean. If the chick or older birds become ousy, tip the under feathers with grease and sulphur or mercurial ointment.

Mr. PERRY K. COLTON, Moorefield, Switzerland County, Indiana, says:

The only disease prevailing here among farm-animals is that among hogs, and know as cholera. There has never been a case of it in my neighborhood, but much of it and does exist in adjacent communities. The first symptoms are languor, watering the eyes, diarrhea, in some cases constipation, and a dry cough near the close of scene. The duration of the disease is from one to two days. The average fatality virtually all, for the few that do recover are afterward worthless. No remedies called, are used with any success whatever. Dissection after death discloses, in many cases, the bowels much inflamed. Often the intestines contain large numbers of worms, which in some cases are so knotted together as to completely obstruct the bowels. The lungs are generally found much decayed and otherwise affected. black ammonia, wood-ashes, sulphur, &c., are given as preventives, but with success would be difficult to determine.

We are of the opinion that the disease is a blood poison somewhat of the charac of malaria. With us, where malarious diseases prevail in the human family, the ch is mostly found, and where there is no ague or other malarial disorders there is little or no cholera among hogs.

Mr. A. B. NICHOLSON, Lincoln, Logan County, Illinois, says:

In this (Logan) county, horses, cattle, and sheep are and have been very hea Hogs are afflicted by the so-called cholera. I am unable to give all the symptom the disease as they vary a great deal. Generally a loss of appetite, drooping ea cough, diarrhea, &c., is observed. The younger hogs are generally the first attack There is not, to my knowledge, any known remedy. Very often a remedy is fo and heralded over the country as an effectual cure, and it probably does cure some then fails. The secretary of our State board of agriculture in March, 1876, sent circulars containing forty questions relating to hog cholera, to upwards of one tho sand swine-breeders. About two hundred and seventy were returned with the tions answered, but hardly two of them were agreed as to the cause or cure.

The treatment which is considered best is to change lots and sleeping places ev week or two, with frequent changes in food. A preparation made of one bushe wood-ashes, one quart of salt, one pint of sulphur, and one-half pint of black antimo should be mixed with their feed and given once a week. If your department can certain the cause and find a remedy for this disease, it will save millions of annually to the farmers of the northwest.

Mr. J. A. JORDAN, Orion, Henry County, Illinois, says:

There is no special disease affecting farm-animals here except that affecting What is known among us as cholera is at present and has for months past made fe ful ravages among all classes of hogs. I am unable to furnish your department the number of hogs that have died in my county (Rock Island) within the past months, but after diligent inquiry I am satisfied that one thousand would be a estimate of the loss we have sustained, and $15,000 would be a fair estimate of value.

The cause of this disease is totally unknown, or merely conjectural. It is genera supposed, however, that it is caused by being fed too long in one place, or by eat their own filth. Feeding on plank floors and keeping them well cleaned or sprinkled with slacked lime has proved highly beneficial.

Any description I might attempt to give of the hog cholera would be of little ser ice to the department, as it is developed in a great many forms. I will, however, that the hog when first attacked appears stupid and refuses to eat, is often very relaxed, and occasionally passes what appears to be blood. They usually live two hours to two or three days after the first symptoms are observed.

The breeding-stock growers here think that your department has never taken to investigate a subject so important to the people of the West, and indeed the revenues of the government, as the one under consideration. I trust your efforts may be abundantly blessed in discovering the cause and a remedy for this ter scourge.

Mr. GEORGE P. WEBER, proprietor of Meader farm, Pawnee, Sangamon County, Illinois, says:

The prevailing disease among farm animals and poultry in this section is known cholera, and affects both hogs and poultry. Cases of Spanish or Texas fever among western cattle has in former years prevailed to an alarming extent, but for two years past I have known but little of this disease. The chief trouble being hog and poultry cholera, I will confine my remarks to these.

So much has been written and said on the subject of hog-cholera that its considera-ion has become almost disgusting. Nevertheless, in a work of such great importance, am always ready to enlist. Swine, like all other classes of animals, are subject to umerous diseases; but since the first cases of what I regard strictly as hog-cholera ere known in our county, all the swine ailments are called cholera. If an animal ecomes affected in any way, the trouble being invisible, it is at once pronounced holera. Hence, the great trouble so often encountered—incorrect treatment and ulti-nate failure. The disease was first introduced into this county about twenty years go by large droves of half-starved Missouri hogs, bought there at a very low price, wing to scarcity of corn, and brought here to fatten when crops were fine. These nimals were put upon a full feed of dry corn, and in a few days many of them were aken with violent fits of retching. In a few hours the bowels would begin to operate reely. Evident signs of griping in the bowels accompanied these discharges, which onstantly grew more frequent and severe until death relieved the sufferer. Some-imes within a single hour from the first symptom the animal would die, while others ould last twenty-four hours, or even longer. Very few of these animals, thus afflicted, ecovered. No remedies that I have heard of were used, as it was thought to be caused y the high feed closely following the extreme starvation to which they had been sub-ected. In a short time, however, the native hogs began dying in a similar manner, hich caused no little alarm. Since that time our county has not been free from this lague. Then began the discussions as to contagion, epidemic, &c., with which all re acquainted who have paid any attention to the disease. While these points have ever been decided, I regard them as matters of great importance.

The symptoms of hog-cholera are about as follows: Disposition to remain quiet; hen driven up to feed will smell of the food but refuse to eat; stand drawn up with eet under the body, back arched, head and ears drooping, eyes look weary and fre-uently inflamed; violent retching and vomiting; gripings and evident pains and ramps in bowels; severe scouring, and discharges not always of same character. Death usually ensues from within one to thirty-six hours. If the latter period is assed recovery is not unfrequent. Animals once affected are not so liable to attack n the future.

It would require hundreds of pages of closely-written matter to give in detail the aried treatment and remedies used for this malady. Almost all the minerals and egetables in their different forms are prepared for medicines; stone and charcoal, ime and ashes, the different kinds of oils and salts, sulphur and soda and the vari-us acids, mixed and compounded, mercury and arsenic; indeed the entire list is iven for aught I know. We have known of seeming wonderful cures and strange ailures under the same treatment and remedies. My opinion, founded upon practical ests and observations, is that the disease is epidemic and contagious. Animals should ave the largest possible range; they should never be housed except in bad weather; heir feeding-place should be changed as often as once in two or three weeks; their eds should be carefully attended to, and all the trash, old beds, and collections bout pens and sheds should be burned as often as once a week, and the ashes left for he pigs to eat. Pigs should have access to pastures as much of the year as possible. They should be fed all the slops from the kitchen and the dairy, or as much of it as they will drink in the dry weather of late summer and in midwinter. Feed and water regularly, and never give medicine unless the bowels become constipated. Then air-slaked lime, wood ashes, and a little salt is the best remedy. The condition of the bowels may be readily known by watching the droppings. I am fully convinced that if the bowels are kept in a healthy condition there will be no such thing as hog-cholera, so-called, or in fact many other diseases. This should be done by cleanliness and careful feeding, watering, &c., and not by dosing with poisonous medicines.

Of course my *post-mortem* examinations have not been strictly scientific, as I am not a veterinary surgeon. The results invariably satisfied me, however, that the whole stomach and bowels were deranged, usually inflamed, as if greatly excited. I have found nothing that would justify a specified location, or a reasonable cause for the disease. I have examined many, as in former years I lost them by hundreds. After all my reading, observation, and actual experience, I pronounced the whole thing a mystery that can only be solved by accident, time, or science. Therefore I rejoice to see your department moving in the matter.

Chickens and turkeys of all ages are the principal sufferers from the malady known as chicken-cholera; yet other domestic fowls are not proof against the disease. The symptoms, treatment, and results are so similar to the disease known as cholera among hogs that a full statement would amount to nothing more than a repetition of the above.

Mr. R. RICHESON, Ewing, Franklin County, Illinois, says:

While there have been some diseases among cattle, horses, sheep, and poultry in the past that were the subject of some thought and investigation, their general condition

and health at this time in this vicinity are such as to attract no special interest. T[illegible] health has been good, especially since the cessation of dry seasons and chinch-bugs.

With the hogs it is quite different. They are exceedingly healthy in all respects with the exception of the prevalence among them of the disease known as cholera. From it no known condition, treatment, location, food, water, temperature, exercise or season seems to give any guarantee of security. They take it at all ages and under all conditions, as people take measles or small-pox, and the surrounding conditions only seem to modify its effect in severity and fatality, the greatest effect generally being produced by the condition of the weather. In the mild weather of spring the percentage of fatality to those that take it is fully as low as 20 per cent.; in the [illegible] weather of fall it is a little worse; but in the heat of summer it is often above 90 per cent., and quite as bad in the coldest of winter. Although it does not spread as rapidly during cold seasons, it makes very near a clean sweep of those that take it. The laws of its propagation are visibly these: The more the hogs are isolated the less liable are they to take the disease; the larger the herds, when it once gets among them, the greater is the percentage of cases, and in cold weather if one of those that bed with others takes it and it is not at once separated from those not affected the whole herd will take it and probably all die. The percentage of hogs that take the disease varies with the weather and other conditions, sometimes varying from 40 to 95 per cent. I have known a few instances of isolated herds, fenced away from any contact with other hogs, growing with perfect impunity through periods of its greatest ravages in the vicinity, which convinces me that the disease is a contagion, and is governed by the same laws of contagious diseases as those which afflict other animals. In this belief I have been strengthened by the fact that the great supply of hogs to the market come from those localities where there are no free commons for hogs and where the breeders raise and fatten their animals; also that the still-house pens, cattle-lots, and free common country, which used to raise the bulk of the hogs, are now the localities of the greatest devastation. If I am correct in the above views, the questions of diagnosis and treatment are merged into the one of isolation and prevention. I have often seen a complete diagnosis of the disease published, and any attempt on my part in that direction would necessarily be more tedious than profitable. I have noticed but few unvarying symptoms of the disease. These, somewhat modified in various cases, are: 1. A drooping of the head with a dull appearance. 2. A wheezing cough. 3. Falling away from the food. 4. A disposition to crawl under weeds, brush, or straw. 5. Redness about the ears and under side of the body. These are the only symptoms that are at all constant in the animal while alive; but some of them are now and then wanting, while there are a great many others of a varying and often conflicting character. After death, in the great number of cases that I have opened, there is one conspicuous feature, *i. e.*, the absolute absence of blood in those that linger a few days, and the collapsed condition of the lungs. Otherwise, I never could find any evidence of either organic or functional cause of death.

The incipient stages and duration of the disease are as varied and irregular as other symptoms of the malady. I have seen hogs eat heartily at night in apparent good health and next morning be found dead. In most cases they will take a little food the first day, and sometimes for several days; again, they may live for weeks and finally die of the disease. The most general duration, however, seems to be from three to [illegible] days.

As remedies I have known almost everything being tried, both in the vegetable and mineral kingdoms. I have often heard of specifics, and known parties who believed in them, but it has invariably turned out that the cholera eventually got among the hogs under unfavorable circumstances of weather or other conditions, and they died as did those not treated with these specifics. I have doctored hundreds, and am satisfied that if I ever cured one that would not have got well without treatment it was with petroleum—drenching a hog of two hundred pounds with about one-half of a teacupful at a time once a day. But my experience is that if a hog has the cholera bad and recovers or is cured it has but very little value afterward. The only practical treatment is to change them to fresh quarters, separate the diseased hogs from the well ones, and isolate them from one another as much as possible.

In conclusion, I must express the opinion, which has grown to a conviction with me, that the only practical remedy for cholera is to isolate the herd, to prevent the movement of diseased animals through the country, and to prohibit their wandering about with impunity, carrying and spreading disease as they go. Leaving the matter to regulate itself has caused this locality, which formerly sent great numbers of hogs to market, to be short of a supply of swine to make meat for home use.

Mr. R. T. Smith, Phillipsville, Erie County, Pennsylvania, says:

I am glad that an effort is being made by the government to discover the causes of the various diseases which from time to time afflict farm animals. The epizootic which occurred some five years ago, has since annually affected horses in this locality

but not so severely as during that season of epidemic. My horses are more or less affected two or three times a year. They are just recovering from a very severe attack. They generally pass through all the usual symptoms of the disease, such as cough, swollen glands, running at the nose, sore throat, &c. One of them was so stiff that I could scarcely get him out of the stable. By allowing them to rest two or three weeks they generally come out all right, and get along well enough until the next attack. If you can discover the cause and a remedy for this and numerous other diseases existing among horses and cattle in this locality you will greatly benefit every one engaged in the breeding and rearing of stock.

Mr. W. W. HINMAN, Cambridge, Henry County, Illinois, says:

Hogs have been dying at a fearful rate in this part of the country for over a year past. The disease seems quite general and widespread. However, there are a great many farmers that as yet have had no sickness among their hogs. During February and March last I lost twenty-five head. The disease seems to attack the lungs, as a harsh, rattling cough is generally the first symptom observed. This is sometimes accompanied by vomiting and purging, the latter symptom being a very dangerous one. In most of the cases that came under my observation the animals were constipated. In all cases the excrement was very dark in color. There is nothing certain about the duration of the attack. Some die in a few days, while others linger for two weeks or more. I lost about one-third of my entire stock of shoats. Hogs that are nearly matured are not so apt to take the disease.

I do not know that I can give a diagnosis of the disease, as I have never been present when a *post-mortem* examination has been made. Of one thing, however, I am quite sure—the lungs are the place where the disease originates, and they continue to be the main cause of disturbance until the hog dies. I used various remedies, my first being wood-ashes and salt—two or three parts ashes and one part salt. After that I used turpentine given on coal (anthracite). This seems to help them. I also used carbolic acid, sprinkling the places where they slept and putting a small quantity into the water they drank. After using the carbolic acid thoroughly for a short time (two or three days) my hogs began to improve rapidly; in fact I think I lost but two or three afterwards, and they were bad cases when I commenced using it.

I hear of no complaints in regard to other kinds of stock. I do not know as this will be of any benefit to you, but "straws show which way the wind blows."

Mr. THOMAS D. OGDEN, Hoosier, Clay County, Illinois, says:

Horses, cattle, sheep, and mules are very healthy in this locality at present. Hog-cholera prevails to some extent. No remedies have been found that can be relied upon. If a sure preventive or a certain cure for this terrible disease could be found, it would prove a great blessing to the farming community.

Mr. WILLIAM B. STANTON, Pollard, Escambia County, Alabama, says:

Hogs here are afflicted with a disease called cholera. In 1874 I lost by this disease all the hogs I had but two, and they were worthless afterward. I kept one sow until she had pigs twice, and they all died within one or two days after they were dropped. The disease was very fatal, and often I would not know that anything was ailing the animal until it was found dead. Some lost but very few, while others lost nearly all they had. The disease has not been so fatal since. A few hogs have died every year, but the malady has not been so wide-spread as it was in that year. No remedy is known here. I do not know whether cholera is the proper name for the disease or not; I only know that that is what it is called here.

Mr. T. B. CALDWELL, Forrest City, Saint Francis County, Arkansas, says:

In our portion of country stock of all kinds receiving proper treatment are remarkably healthy. For the last seven years we have kept on an average seven head of horses, and during that time have not lost one from disease. We have had some cases of colic, caused by irregularity in feeding, and the epizootic in a mild form, neither of which required treatment. There has been some loss from charbon or yellow water, supposed to originate from impure blood, which proper treatment would perhaps have obviated.

Cattle are very healthy, with the exception of slight losses from murrain, which it is believed could be prevented by regular salting. This is proven by the seldom occurrence of loss where cattle have plenty of salt.

The loss from diseases among hogs is very great in this section of the State, but improved breeds which have good attention are healthy and prolific. Two years ago I

had a couple of hogs afflicted with what was called "blind staggers." They appeared to have spasms, could not see, kept constantly moving about, and would sometimes fall as if dead. In about one minute they would get up and move off again, apparently relieved. Others of my hogs showed symptoms of the same disease. I had been feeding for some time on hard corn, and I think this was the cause, for when I changed their feed to bran mash they all got well. The two sick ones I saturated from ears to tail with coal-oil and turpentine. The losses in this county were about 60 per cent. during the above season from staggers and cholera. The cause of the last-named disease is unknown, but it is believed that proper feed would prevent it.

Fowls are subject to several diseases, the most fatal of which is known as cholera. The causes are unknown, as on some farms almost every fowl dies, while on adjacent farms none die at all. It is my belief that if properly cared for all farm-animals (except in cases of epidemic diseases) would be as healthy as could reasonably be desired.

Mr. J. McGowan, Orland, Steuben County, Indiana, says:

On my own farm I have had no trouble with my stock, but my neighbors are suffering from the disease commonly known as "hog-cholera." From cases that have come under my own observation I am led to believe that the disease is more like typhoid fever as it affects the human family. On my farm we have fed eighty head of hogs with good success, and I cannot do better than give you our manner of handling them. We give ample range, with pure, fresh water constantly before them. Salt twice a week, and keep wood-ashes and lime continually within their reach. Our hogs are of the Poland-China breed, and are very thrifty and seem perfectly healthy. Farmers in this vicinity are suffering terribly from this scourge, and trust that your investigations may be crowned with success.

Mr. John W. Ross, Fitt's Hill, Franklin County, Illinois, says:

Horses in this locality are occasionally affected with epizootic diseases. The malady comes on without any apparent warning. The symptoms are generally about as follows: Glands of the throat swollen and distended, and limbs and feet swollen; contagious eruptive fever, with inability to eat or drink; morbid secretion of saliva, and decided constipation. In fatal cases the disease runs its course in from ten to fifteen days. Hygienic measures are about the only remedies resorted to. Warm poultices may with benefit be applied to the throat, and the bowels regulated with salts or sulphur.

The disease most prevalent among cattle is murrain. It is characterized by small vesicles in the mouth, on lips, gums, and tongue, with drivelings of saliva, often causing inability to eat or drink. These symptoms are accompanied with fever, swelling of the udder, and lameness. In fatal cases the animal generally becomes unmanageable, disregards the commands of the groom, breaks away and runs over the neighborhood perfectly frantic and furious. The disease runs its course within from three to ten days. Where animals are affected with this disease the bowels should be regulated by mild laxatives, and they should have comfortable lodgings, with soft, digestible food. As an application for the mouth and larynx, a mild astringent solution of half an ounce of alum, oxide of zinc, or sugar of lead to a quart of tepid water will be found beneficial.

The most formidable, and by far the most destructive disease of all, is hog-cholera. It often devastates the whole country of large numbers of swine. It occurs at any season of the year, but is generally the most prevalent in spring. The symptoms are a stiffness of joints, no desire for food or drink, dry, hot, harsh skin, general disturbance of internal viscera, nausea, and vomiting. The animal lingers from five to ten days, and generally dies. Decomposition takes place almost immediately after death. Various remedies have been tried, but with no decided benefit.

A disease known as chicken-cholera is also very destructive to fowls. When it breaks out in a flock it usually destroys the most of them. No remedy has been found to successfully combat the disease.

Mr. E. Stevens, Howardsville, Jo Daviess County, Illinois, says:

There is no special disease prevalent in this locality among farm-animals. Among horses the most troublesome complaint is that known as distemper or "strangles." It is quite prevalent throughout the low country of the Mississippi Valley. It is invariably known here as "distemper," and is of variable duration, often lingering for months but seldom proving fatal to the full-grown horse. It attacks horses of all ages and conditions, and is highly contagious in its character. The disease is marked by three distinct stages. The first is a dry, hacking cough, attended by running at the nose. The discharge at first is thin and watery, and always of a whitish color. This discharge soon becomes thick and purulent, and the second stage rapidly follows by swelling

or tumors under the throat along the salivary glands. These swellings soon establish an abscess in the throat, which rapidly enlarges until it breaks. This constitutes the third stage. If it breaks outside—which it generally does—matter may run for days or weeks, and sometimes for months, but the danger is passed if proper protection is afforded. But if this abscess breaks inside, the horse generally dies from suffocation or strangulation. The only remedy used here is the application of hot poultices to the neck and throat (in the second stage) to induce suppuration as speedily as possible.

Hogs are generally healthy, but when any die from any cause it is invariably attributed to "hog-cholera," when most likely no such thing as cholera ever existed among hogs in this locality. However, hogs frequently die here with quinsy and other throat diseases. The most successful treatment I know of is to give frequent small doses of powdered bluestone in sweet milk. I have also been successful by placing, with a wooden paddle, half a drachm of finely pulverized bluestone on the roots of the hog's tongue.

Fowls often die with what is known as "chicken-cholera." I know of no sure remedy. Equal parts of powdered charcoal and red ocher mixed with the food is an almost sure preventive.

Mr. F. M. Rogers, Nora, Jo Daviess County, Illinois, says:

I have been a resident of this county for thirty-six years, and during that time have not known of any disease affecting cattle, horses, or sheep of an epidemic character. In many localities swine have suffered from the effects of cholera, but none so affected have ever come under my observation. Poultry has also suffered with the so-called chicken-cholera, a disease which often decimated large flocks in a few weeks. Of the various remedies recommended, orally and written, we have tried but few, and none of these with very gratifying results.

Mr. D. C. Townsend, Fort Hill, Lake County, Illinois, says:

Last winter the sheep in these parts died by the hundred. There was nothing we could do that would save them. They would get dumpish and die in a few days. I lost one-third of my flock (one hundred and fifty). Since then I have been feeding the ma turpentine in salt, and they seem to be doing well.

At this time we are losing a great many hogs. They do not live over three or four hours from the time they are attacked. They turn black and bloat up. We are feeding them sulphur and charcoal; some give copperas. They will eat the sulphur and charcoal before they will eat their corn. I cannot tell what the result will be.

Mr. R. H. Saunders, Pecatonica, Winnebago County, Illinois, says:

Stock has generally been free from disease in this county. There have been reported cases of the so-called hog-cholera this fall, but none have come under my observation. I have nothing to impart with the exception of the fact that my flock of sheep have been infested with parasites for some years past, causing a poorer condition and greater loss than formerly when affected in this way. Tape-worms in the intestines have been numerous, and have proven very fatal to lambs and sometimes to older sheep. Thread-worms in the lungs have also been numerous, as has a stomach thread-worm which resembles the lung-worm, but is rather longer. I think the cause attributable to keeping too many sheep on the same pasture for several years in succession. I have tried many remedies with but little success, and now consider a proper preventive the only protection. First, I change pastures as often as once in two years; plow and cultivate old pastures; do not allow them to drink of stagnant water; give them access to salt mixed with a little sulphate of iron. I have followed this plan for the last year or more, and have greatly reduced the losses. In corresponding with Professor Law, of Cornell University, on this subject, he states that the embryo of the lung-worm is found in the common earth-worm. It would be interesting to ascertain if such is the fact. If so, the cause is apparent, for as land becomes richer from sheep-manure earthworms become more numerous. Professor Law seems to be uncertain as to how the three-worm finds its way to the lungs. I will state here that I have found the stomach three-worm in immense numbers in lambs not more than four months old, but have found no lung-worms until the lambs were seven or eight months old, and have found them most numerous in yearlings. Is it possible that they make their way from the stomach to the lungs?

Mr. A. M. Durker, Howardsville, Stephenson County, Illinois, says:

Perhaps this locality is one most favored for the successful raising of farm animals, as there are seldom any prevailing diseases among any class of stock. Horses some-

times have distemper or throat disease, but in a majority of cases they require lit or no treatment, as a very small percentage die, perhaps not one in a hundred.

Hogs are extensively raised in this locality, and I verily believe that no particul disease has ever prevailed here but what it could be traced to improper treatment a care. If a man loses many hogs it is attributable to hog-cholera, simply because th do not know what else to call it. I would here state that if the disease ever has pr vailed to any extent in this locality there is no known remedy. I have never seen case of hog-cholera that I know of since I have been a resident of this county, ye have heard of cases attributed to that disease, and some farmers have been known lose a heavy percentage. There are cases of influenza or pneumonia, caused by proper treatment and care in the colder part of the season. This is frequently brou on by keeping too many hogs together, and allowing them warm straw bedding, ca ing them to steam and sweat freely. In leaving their beds they cool off suddenly a take cold, which often produces congestion of the lungs, for which there is no kno remedy.

Fowls are subject to chicken-cholera, but all the numerous remedies that have b applied have proved unsuccessful.

Mr. George Stocks, Dalton City, Moultrie County, Illinois, says:

In regard to diseases among horses I will say that I have had more than my share losses, but as I employed a veterinary surgeon, who, I think, rendered good servic will not attempt a description of the disease, as I hardly feel competent to do so.

Hog-cholera is the scourge of Central Illinois. I have had some experience with I think it was in 1867, when I lost from thirty to forty head, all I had but one. T majority of my neighbors lost in about the same proportion. The disease was admit by all to be the true hog-cholera. The animal would first commence to cough, w get off its feed, and its feet would seem to become very tender. It would creep to bed with nose and tail down, and generally die within from one to three days. widow woman near by lost none, and on inquiry I found that she kept a few ounc of asafœtida inclosed in a sack and suspended in the slop-barrel. I adopted the sa preventive, and occasionally gave coal ashes, copperas, and sulphur, and for th years lost none. Early in 1871 I met with a report of a stock-grower's convent held, I think, in Lexington, Kentucky, at which one of the delegates stated that put on the market every year from five hundred to six hundred head of hogs, aver ing four hundred pounds in weight, and claimed that he could either prevent or c the hog-cholera with the following prescription, viz: Four ounces of crystallized c bolic acid dissolved in one-half pint of rain-water. Dose, twenty-five drops to ea hog, or one teaspoonful to four hogs, given in a little slop or milk.

On my place I generally have from forty to seventy hogs, large and small, and ha used the above remedy for seven years with success. During that time I have only one, I think, and it did not have the cholera. Although this county has b heavily we are not alone, as I yesterday heard of one gentleman residing near Dal City who had lost twenty-three of a herd of twenty-six large hogs within the past f days.

I have given the above receipt to many persons, but often on inquiry have fou that they failed to use it. Since using it I have had six or seven hogs so bad that th would neither eat nor drink, and I had to pour the medicine down their throats every case they recovered.

Mr. James Lilly, Monticello, White County, Indiana, says:

Last fall my hogs were afflicted with a dreadful cough. Sometimes it was spasm with very difficult breathing. Matter was freely discharged from the nose and mou which was seemingly brought up by coughing. I usually fed them about the fou or fifth day soft soap, and placed strong wood ashes in the trough from which th drank swill. With this treatment they recovered in from two to four weeks.

My neighbors' hogs had the cholera this fall, and they all died, that is, all that we afflicted. There is no remedy for this disease, so far as I know, that can be relied with any certainty. It is believed that wood-ashes and soft-soap—in other wo alkalies—are good as preventives. Probably this is owing to their tendency to clea the intestines of parasites. This would seem to indicate that the disease was cau by parasites.

Chicken-cholera prevails extensively and fatally at times, but I know of no pr ventive or remedy.

Mr. P. D. Bowles, Evergreen, Conecuh County, Alabama, says:

The disease known as hog-cholera is characterized first by the animal refusing eat, accompanied with slight dullness and sleepiness, which continues to increase

ay to day, the hog all the time refusing to eat and hiding under the straw in his bed, here he remains for hours unless driven out. The feet refuse to perform their ordiary function of locomotion, and the animal limps or hobbles about as if there was a ail in each foot, back bowed, skin red, and after three or four days looks as if blistered; ı fact the hair and skin finally all peels off of those that recover, leaving the animal lmost nude. They eat very little for some days, but drink water in great quantities, nd have copious discharges of urine, sometimes as much as a half gallon at a time, owels costive. I do not recollect of seeing or hearing of a case of diarrhea or laxity f the bowels. The hog continues to decline, and either dies within from five to seven ays or begins to eat and gets better.

The disease has prevailed in every township in this county to a greater or less exent during the past twelve months. It commences in the early spring and continues ntil late in the fall. It is generally more fatal among small pigs than among older ogs. I know one farmer who has prevented the malady from getting into his herd y giving "stack powders" two or three times a week in slops or meal. Although ıving in sight of his neighbor whose hogs died of the disease, his escaped. I was alking with another (No. 2) a few days ago, who said he had several pigs which he ıad kept penned up and fed on corn and slop, and that every one had died. Some nan near by had a large number running in the woods, which were frequently turned ı with those confined, but not one of them took the cholera. No. 3 had several pigs, ıll of which showed symptoms of cholera. He gave them a teaspoonful of spirits of urpentine in bran slop, and every one recovered. No. 4 has allowed all his hogs to un at large in the swamps, feeding a little corn at times to keep them gentle. Not ne has been diseased. Upon general inquiry over the country I am prepared to say hat all hogs that are allowed to bed in the woods and have free and large walks will scape the disease. Let him "root or die" and you will have no more hog-cholera.

Mr. JOHN POWERS, Rutledge, Crenshaw County, Alabama, says:

Hog-cholera, as it is generally known in this vicinity, prevails more or less every year. When attacked the patient begins to droop, holds down its head, and is indifferent to eating or drinking. They seem to be affected with a kind of dysentery, with frequent small evacuations. The surface is warm, and there are occasional quiverings of the flesh. Occasionally they die almost instantly. *Post-mortem* examinations clearly show that indigestion prevails.

The fatality is about 50 per cent. of those attacked. Generally three-fourths of a herd will be taken, while the remainder will continue perfectly healthy. Of those that overcome the disease about 50 per cent. regain their original health; the remainder are hard to fatten. I have never known a hog to die from the second attack. The disease prevails at any season of the year. Its fatality is greater among fat hogs, especially among those fed on corn.

The treatment is varied, but it is generally conceded that a small amount of alkali is the most efficacious, both as a remedy and as a preventive. A small amount of potash or concentrated lye is used by those who profess to treat it with any degree of success. We sometimes use asafetida as a preventive with success, but it is perfectly useless as a remedy. Corn feeding will not do; it will kill in nine cases out of ten. The hogs should be penned with shelter, free from dust, and sparingly fed on any easily digestible food. Whenever it is discovered that the animal has a desire to eat, be certain not to give it enough to satisfy it. Let it be kept hungry, not starved, but allowed about one-fourth the usual feed.

Fresh pine tar is good, both as a preventive and as a remedy, but it should be given in small quantities. Sulphur does harm, and copperas will ruin the teeth in a few days. Soda acts well. They require no external applications unless lousy. A lousy hog with the cholera would die if not cleansed. With the first treatment use alkalies perseveringly but sparingly, and the result will be 25 per cent. saved. Do not give corn unless it is ground.

Bots and glanders in horses, with an occasional case of distemper, are about the only diseases that affect this class of animals in this locality. Cattle are affected to some extent with hollow-horn, for which boring is the only remedy known here. Fat cows are never affected with this disease. A few cases of a new disease are reported, but enough is not known of it to attempt a diagnosis.

Mr. W. O. MILLARD, Caleta, Whiteside County, Illinois, says:

About one year ago the Secretary of the State Board of Agriculture of this State sent me a blank to fill out in regard to the so-called hog-cholera, which was then, as now, very destructive to all classes of swine. I made out a report and it was published in connection with a number of others from different parts of the State. When I made that report I had never been visited with the disease, and consequently was unable to give as accurate a diagnosis as I may be able to give you. The disease first made its

appearance in this locality in August, 1876. But little attention was paid to it first, perhaps because we thought it would not spread. But we were soon convinced that nothing had ever passed through the country that was so serious as this. It made its appearance in my herd about the 1st of June last, eventually almost annihilating them. When it first appeared I had two hundred and seven very fine animals of the best English Berkshire breed. Thirty days after I had but seventeen left, the loss being one hundred and ninety. While perhaps I may be considered one of the largest swine-growers, yet my loss was no greater in proportion than it was in the smaller herds.

The farmers all over this Western country are to-day being visited with the worst scourge that has ever made its appearance. In this section they are losing from twenty-five to one hundred and fifty head of swine each. As to the nature of the disease I think it a typhoid fever, and it is so called by almost every one who has made an investigation. The first we discover wrong with the hog is its refusal to eat, and it acts, as we term it, dumpish. It either has a diarrhea or is costive. Its excretions are very offensive. Very many are taken with vomiting, while some are affected with bleeding at the nose. They seem to be thirsty and have a desire to lie in water a large portion of the time. Their eyes are red, and white matter stands in the corners of them, while many of them have a white mattery discharge from the nose. They usually live some two or three weeks after the first symptoms are observable. I have seen many of them where the fever had either settled in the head, eyes, nose, or ears, and in such cases some would become blind and others deaf. We have every reason to regard the disease as contagious, and I believe a prevention better than a cure. A few hogs recover from the disease, but a large majority die. We have done everything we could to effect a cure, but so far everything we have tried has proved a failure. I hardly think it necessary to say what we have given, yet it will do no harm. We have given arsenic, nux-vomica, calomel, salts, soda, concentrated lye, and Dr. Herr's German hog cure. Bleeding has also been tried.

When my hogs were taken they were on grass, on a lot of seventy acres, well watered with pure spring-water, and had no grain. Others that were sick had grain and grass with good spring-water. Still others had grain and slops from the house and no grass or water; but all were sick. My land is rolling prairie, with no standing water in low places on the farm. The farmers generally are well off and take good care of their stock, and the majority have them sheltered in bad weather. The stock-growers here are very anxious that Congress should make an appropriation sufficient to investigate this matter thoroughly.

Mr. T. W. Quinn, Prattville, Grant County, Arkansas, says:

The only prevailing disease among farm-animals in this locality is cholera among hogs and fowls. Almost all the hogs in the neighborhood have been destroyed. Chicken cholera also prevails to an alarming extent.

Mr. L. H. Compton, Bay City, Pope County, Illinois, says:

The only diseases prevailing among any class of farm-animals here are those affecting hogs and chickens. So far as remedies go, there seems to be but little if any success in curing either hogs or fowls after the disease once takes hold of them. Every disease affecting hogs is called cholera, but my opinion is that there are as many diseases among hogs as "human flesh is heir to." Sometimes the symptoms indicate cholera, sometimes lung-fever, sometimes various other diseases, such as measles, quinsy, affections of the kidneys, liver, &c. I am of the opinion that many of these diseases are produced by worms, and in proof of the fact would state that those hogs that run at large and feed mostly on mast are the oftenest diseased, and these diseases are almost invariably caused by worms.

Mr. William F. Watkins, La Crosse, Izard County, Arkansas, says:

There never has been any scientific investigation in this country into the diseases of animals or fowls, and all the remedies used have been entirely empirical. I am not aware of any epidemic ever prevailing here among either horses or sheep. Our greatest loss are in hogs, which for many years have been (in different localities and at different times) subject to great fatality. The disease or diseases are confined to no particular season of the year, but rage only in certain localities at the same time. One locality of even a few miles in extent may suffer one season and be entirely exempt the next, while a neighboring locality is suffering. In a mountain district in the adjoining county of Stone, last summer, nearly all the hogs died. One farmer, by way of experiment, gave his hogs strychnia, both as a remedy and as a preventive, and lost but a small per cent. of them. Chickens and turkeys are attacked locally, just as hogs are.

ot in the same districts at the same time that hogs are. I have known calomel given fowls as a remedy with very satisfactory results.

There has been a disease called the black-tongue among cattle in this county, which as only appeared at intervals of several years, and always in the heat of summer. It xtends over the whole country, attacks only a small per cent. of cattle, but kills 50 er cent. of those attacked. It is more general and fatal to the wild deer than to attle. It has not appeared for some years past.

Mr. L. ORTO, Bradford, White County, Arkansas, says:

Hog cholera has been very destructive in some localities, yet I have been almost ntirely exempt from the pest. I have kept from 100 to 800 head of hogs during the ast ten years, and have had cholera among them but once. I then lost 80 per cent. of hose attacked. When a hog is attacked by this disease the best remedy is to kill it nd bury or burn the carcass, as this will have some tendency toward checking the pread of the disease. Moreover, if the hog should recover it will never be any account fterward. Hogs should never be allowed to sleep too long in the same beds. They hould be changed about every ten days, and should be kept from dusty, dry places uring the summer season. The oftener a hog shifts his range and bed the healthier vill he be. They should have plenty of soap, lime, ashes, charcoal, and copperas. My ogs, which live entirely in the woods, are seldom affected with diseases of any kind. 'here are many wild hogs here, and I do not believe they are ever affected in any way. 'his is proof that the less this animal is hampered by close confinement the less is he able to disease. The Poland-China and the Berkshire are the best breeds here.

Mr. J. S. TAIT, Decatur, Macon County, Illinois, says:

I never lost any hogs until last winter, and I think that was the result of trimming n November and the early part of December. I then changed them from a warm bed o my cattle lot. Although this was covered and protected from the storms the ground vas wet and frozen, and the hogs took cold and continued to drop off one by one until spring; but as soon as the sun came out and warmed up the earth they commenced to recover.

The only preventives I use are charcoal, wood-ashes, salt, and unslacked lime. In the summer season I put sulphur, copperas, and assafetida in the swill-barrel. I tie these drugs in a cloth and suspend it in the barrel. I give my hogs a roof to protect them from the storms of winter. If they have bedding it should be just sufficient to keep those on the outside from becoming chilled. Corn-stalks are the best bedding for swine.

My opinion is that hogs, as a general thing, are not properly cared for. Very often they become chilled through the night, or, if their beds are too warm, they take cold on leaving them early in the morning. Then follow lung affections, typhoid fever, and many other diseases to which they are subject.

Mr. WILLIAM DALGLEISH, Pleasant, Switzerland County, Indiana, says:

The disease known as hog-cholera has prevailed to an alarming extent for the past two years. I regard the disease as contagious. The symptoms are watering of the eyes when first attacked, followed by a dry cough, languor, thumps, constipation, &c. Death usually ensues within one or two days. The disease made its appearance among my own hogs in May last, and out of a herd of eighty-two I lost sixty-seven. I tried all the known remedies without any favorable results. From close examination and observation I am of the opinion that the disease has its foundation in the blood. The liver is generally torpid and the lungs much decayed.

Mr. R. M. WELMAN, Jasper, Du Bois County, Indiana, says:

There is no disease prevailing among any class of farm-animals except cholera among hogs.

Mr. M. M. SLOSS, Simpson County, Kentucky, says:

We have never had any serious diseases among any class of farm-animals except among swine. Each of two distinct forms of disease destroys our hogs every year. One is called cholera and the other measles. The latter shows itself on the skin in sores and scabs. It is claimed by some of our farmers that sulphur, given internally, will effect a cure if it be given in sufficient quantities. Cholera is much the more fatal disease of the two. Generally the first evidence of its existence is the refusal of the hog

to eat. Its ears will flap down over its eyes, giving it a dull, sleepy appearance. the disease advances its breathing becomes hard and is accompanied with a symp similar to thumps in horses. Usually its bowels are constipated, but sometimes th may be lax, and occasionally vomiting may occur. In a *post-mortem* examinat.on one case the entire intestine, and all it contained, were found to be very dry.

Few people attempt to cure a hog after the disease has taken hold of it. A num of practical farmers in this end of the county have used crude petroleum as a p ventive for the past six years, and are established in the belief that if regularly a properly used it will keep them healthy. We buy it by the barrel, confine the h in a pen, and with a common tin sprinkler saturate them thoroughly from head to fo We give it internally also on corn. Those of us who have tested its merits have gr confidence in it, and in consequence have but little dread of the cholera. Where it been used for six or seven years past the disease has not prevailed, notwithstanding prevalence and destruction all around us. As I feel interested in the welfare of th engaged in agriculture, I hope you will pardon me for pressing upon your attention value of the above article as a preventive of diseases among swine. I hope you have its merits thoroughly tested.

Mr. HORACE J. LOOMIS, Chesterfield, Macoupin County, Illinois, say

Many native cattle die here annually from what is known as Texas fever. T disease cannot be communicated except by Texas cattle, and they never have it. C tle affected with it cannot give it to others, so there is no danger of its spreading becoming an epidemic as many persons fear. The immediate cause of the disea unknown here. The most probable theory with me is that it is transmitted by a pois ous substance in the urine of the Texas cattle. Whether any other cattle from Te except the long-horned native breed can spread the disease I am unable to say, as other breed has ever been brought here from that State. The subject should be inv tigated by scientific men.

Thousands of hogs die in this section annually. The disease assumes different fo in different localities, and in the same locality in different years. At times it app to be a disease of the skin, and the hog will linger a long time before death ens Sometimes they will bleed to death from the nose in a few minutes, while to all appe ances a few minutes previously they were well. In all its forms, however, there is m or less cough. I have examined many that have died, and in all cases have found a quantities of worms either in the throat or in the intestines. No locality appears be exempt from the disease, and those who take most pains with their hogs are likely to have the disease as those who are more careless. Hundreds of remedies h been tried, but as yet I have seen but little or no benefit from them. The whole th shrouded in mystery, and demands at the hands of the government an investigati by the most competent persons known.

Mr. CHARLES F. INGALS, Sublette, Lee County, Illinois, says:

Hogs are about the only animals subject to disease in our county, and so far as I h observed the ailment is of one and a similar type. It occurs at no regular interv and not oftener, I think, than once in ten years. I have been in the business forty years, and until last summer my stock have kept comparatively healthy. O some two hundred shoats I lost about thirty, and those were the smallest and h pigs. Grown stock seldom suffer. The animals lose appetite, become stupid, dwi away slowly, and die, one here and one there as the case may be, in from one to tw weeks after they are manifestly attacked. Upon being started up from their n suddenly they usually are taken with a short hacking cough, but this does not co when they are again at rest.

I do not now remember any stock-raiser who has twice had the disease to any tent among his hogs. Sometimes out of a herd of 200 head half of them will die side of ninety days, and those that die first are generally the smallest. My usag to give my animals extensive range, plenty of green feed, and to continually keep fore them salt, ashes (wood or coal), stone-coal, and sulphur. They eagerly eat co and I provide it for them by the car-load. I have thought that high feed with Ir corn from generation to generation has worked constitutional debility in the h At any rate, after failing in finding any preventives, I have little faith in efforts cure them after they once get sick. Isolation of all animals that are sick is f favorable to the well ones and to the recovery of those that are sick. Various cifics have been used and recommended, but so far as I know have effected no good. If kept warm, dry, well fed, well ventilated, and in lots of fifty or less, d will seldom be known.

Mr. WILLIAM BRINGHURST, Springfield, Utah Territory, says:

The climate and natural grasses of the Rocky Mountains are well adapted to raising, containing elements that are health-producing and in their natural state

antidote for most diseases that stock are subject to. The epizootic, when raging here, was not fatal to animals running at large. The horse, however, when domesticated, is subject to two very serious distempers, which, if not promptly attended to, will prove fatal, the most common and serious of which is called the cramp-colic, produced by change of and over-amount of feed. The symptoms are restlessness, enlargement of abdomen, accompanied with severe pain. It will prove fatal in four or five hours. The most successful remedy used is one-half pound common sal-soda, two tablespoonsful of ground mustard, and one tablespoonful of cayenne pepper, mixed in water and given to the animal. The dose should be repeated in thirty minutes. Two doses are generally sufficient.

In Mountain Farcy, the cause of which is not known, the symptoms are a swelling under the belly, which extends rapidly over the whole body. I have seen the head swollen to such an extent that the animal was blind. It is very difficult to arrest unless taken at an early stage, and will prove fatal in a few hours. The remedy is bleeding in the neck. If the limbs are swollen bleed in each foot, striking the plate vein on the quarter between the hair and hoof. One-fourth pound of aloes, divided in three doses, as pills, or used as a drench, and given every hour, in addition to above treatment.

Horned stock has not been subject to any contagious disease in these parts, although there are isolated cases of hollow-horn, dry murrain, and fouls, which seldom or ever prove fatal. Cattle thrive well on the mountain grasses summer and winter, and require but little care. The raising of sheep is attracting much attention and has attained considerable importance, and under the management of scientific men is becoming very profitable. The Spanish merino is acknowledged to be the best adapted to this region. The only distemper in sheep that we are troubled with is the itch or scab. For this we employ the following remedy: After shearing dip the sheep at least every other year in a strong solution of tobacco and sulphur, composed of one part of sulphur to five parts of tobacco.

By experiment I find that swine can be raised profitably on the lowlands and on the borders of lakes and streamlets; but this class of stock are not generally bred here. They are not subject to any general distemper. The same can be said in regard to all kinds of fowls.

Mr. A. J. CARR, Charlestown, Clarke County, Indiana, says:

We are fortunately exempt at this time from any disease among farm-animals except cholera among hogs. I have lost a good many myself within the last two years. I tried all the remedies I could hear of, but none seemed to do any good. I then put some hogs that were apparently nearly dead in a close pen, gave them nothing to drink but a little sweet milk and soap-suds, with a little meal to eat, and they all recovered. My opinion is that none of the cholera remedies that are published as such and sold throughout the country are worth anything.

We have plenty of chicken-cholera, but so far no remedy has been discovered that seems to do any good. Preventives have been tried, but without beneficial results.

Mr. GEORGE W. THOGARD, Rutledge, Crenshaw County, Alabama, says:

I will endeavor to give you my experience with hog-cholera. In 1863 it made its appearance about thirty or forty miles south of this place. It then seemed to travel in a northern direction, and it took it near twelve months to travel a distance of 40 miles. Its destruction was at the rate of from 50 to 75 per cent. of the whole number of hogs attacked. There have been symptoms of the disease several times since without any marked direction as to its course of travel until 1876. In the spring of this year it made its appearance about 25 or 30 miles north of this place, and its course of travel was then from north to south. It took it six or eight months to travel south as far as this place. I can now hear of its progress south and west of here. On this visitation the average loss of hogs throughout the county was about 50 per cent. of the whole number.

I use lime, soap, salt, copperas, and blue vitriol as preventives, but my favorite prescription, and the one I believe to be the best, is poke-root and Jerusalem or worm-seed root. I boil both together and mix the liquor with corn-meal while warm, and let the hogs drink it either cold or warm. The best remedy after the hog gets very sick is to kill it or have it removed from among the other hogs. The disease is more fatal and of shorter duration to fat hogs than to lean ones. Woods hogs are not so subject to the disease as those that run about the farm.

Mr. A. A. HOLCOMBE, V. S., New York, writes as follows concerning contagious pleura-pneumonia:

This disease was first seen in Central Europe about a century ago, and since that time has spread to most European countries, to Great Britain, Asia, Australia, and Amer-

ica. Its spread was undoubtedly due to contagion, for it is not at all probable that the disease originated spontaneously outside of Central Europe. It is a specific disease peculiar to bovine animals, for other species are never affected with it. It is always subacute or chronic in character; usually occurs as an epizooty or enzooty, and spreads easily and rapidly.

As the term indicates, the *lungs* and the *pleura* are the seat of the disease. It is also considered an imflammatory disease, and so far as local lesions are concerned, consists in an exudation of lymph into the connective tissue of the lungs, with effusion and exudation into the pleural cavities. The disease may be limited to one lung or it may affect both, while occasionally the pericardium is implicated. One attack usually confers immunity from subsequent ones. During its course the disease generates a specific virus capable of inoculating healthy animals of the same species with the same disease. By some few authorities it is believed that the disease can be generated by improper dietetic measures in conjunction with certain other influences, as excessive milking, and hot, illy-ventilated stables, but there is no positive proof to support this belief, although it is to be noted that the outbreaks in New Jersey in 1873–74 and 1877 were almost exclusively confined to cattle fed on beer-grains, which were kept in close stables, and gave large quantities of milk. The disease was brought to this country in 1849, and has prevailed to a greater or less extent in different localities ever since.

The period of incubation is reckoned at from twelve to sixty days, and the symptoms during this time are, as a rule, so slight as to receive little or no attention from owners or attendants. A rise of the bodily temperature is the first indication of the disease, and can be detected with the thermometer alone. Healthy animals have a temperature of 100° F., or a little less, so that a rise above this in an infected district would render all animals so affected liable to suspicion, for in those where the thermometer registers 102° F. or more the disease can almost positively be said to exist. The first symptom to gain the attention is mostly a short, dry, husky cough, of a peculiar character, and is first heard in the early morning, or while the animal is drinking. At the same time the appetite will be observed to fall off a little, and rumination be less active than common. The respirations are more rapid than normal, and may reach twenty-five, twenty-five, or thirty per minute, instead of about fourteen. Usually every respiration is accompanied with a low grunt or slight moan. The cough is growing more frequent, harsh, and painful; the back is slightly arched; the coat looks dead, and feels rough and harsh, while in some places it is erect; pressure along the back, especially in the neighborhood of the loins and in the spaces between the ribs, causes pain and flinching. As the appetite falls off the secretion of milk diminishes, until it is finally completely suppressed. The patient generally rapidly runs down in flesh, the surface temperature varies, the extremities being cold at one time and hot at another; sometimes but not always a slight discharge takes place from the nostrils, and the pulse becomes quite rapid. The lungs at this time are undergoing changes, easily detected by the expert: the air-cells admit but a limited quantity of air to the affected part; the intestinal tissue is filling up with lymph, and the pleura is undergoing the changes seen in this disease, presenting symptoms to be detected only by the practiced ear, as loss of the respiratory murmur, the presence of the different rahls and the friction murmur of pleurisy, with finally the absence of any sound at all as the lungs become hepatized in the second stage, or the one of *marked* symptoms. In this stage the temperature increases and the pulse runs up to 60 or 70, and sometimes to 90, beats per minute. Examination of the heart will show it to be laboring hard to send the blood to the diseased lungs in sufficient quantity for the system; the extremities are cold; the front legs apart to facilitate respiration, which is becoming more and more rapid and difficult; the appetite is entirely lost; the secretion of milk has ceased; the feces are hard and dark colored: the urine is scanty and high colored; drinking causes hard and painful coughing. The animal almost refuses to move, seldom lies down, and stands with distended nostrils, moaning at every respiration, while from the eyes and nose is discharged a thickish purulent fluid, and the breath is hot and fœtid. These symptoms daily grow worse as the disease encroaches on the previously healthy lung-tissue; breathing is effected with the greatest difficulty; the pulse is so weak and small as hardly to be felt; the skin clings to the bones; dropsy beneath the chest takes place; the animal becomes almost unconscious of all surroundings, and groans and grinds the teeth; the abdomen fills with gas; diarrhea sets in, and death speedily closes the scene.

This is the usual course of a typical case where the disease runs through both stages and terminates fatally. In many instances there are variations from this general course, as where a fatal diarrhea sets in early or some other complication occurs which carries the patient off. (An interesting complication occurred in a case at North Branch, N. J., in 1874, where the lungs filled up rapidly and the pulmonary artery was ruptured.) But these variations are important only to the student of special pathology.

Regarding the course and termination of this disease, it is to be noted that it runs a more rapid course in young, vigorous animals than in any others; also that a short period of incubation is almost always followed by a rapid subsequent course. At times

ie disease terminates favorably in the early stage and before the extensive alterations f the lungs have taken place, yet these organs rarely regain their perfect function, art of their tissue ever after remaining impervious to air, while adhesions more or ss extensive permanently exist between the lungs and the walls of the chest. The ough usually remains for a long period of time, being due to the alteration of lung-ssues. Death, as a rule, takes place in the second stage of the disease, and is due to ie encroachment of the exudate upon the respiratory surface of the lungs, to anæ-ia, to gangrene of the lung-substance, or to a fatal diarrhea.

The percentage of deaths which occur in the early part of an outbreak generally eaches from 60 to 90 per cent. of those infected, while later on, when the force of the ifecting virus seems to have expended itself, the mortality may fall to 15 or 20 per ent. But this is not all the loss to which the infected district is subjected. The ani-ials that recover are of little or no value for weeks and months, the secretion of milk oes not return for a long time, and it is almost impossible to prepare them for market, or they do not thrive. Besides this, unless the subject of disinfection is understood, nd its necessity thoroughly appreciated, all new animals are liable to take the disease nd thus perpetuate indefinitely this dreadful scourge.

The intimate pathological anatomy of this disease, and the microscopical appearances f the involved tissue, can hardly be of value to the public, or to others than those horoughly acquainted with histology, so that unless the department desires especially o have such, I will refrain from occupying your time with what can hardly prove of nterest. I will therefore call your attention to the means of diagnosing this disease. The cough is peculiar, and to those acquainted with the disease would be almost suffi-ient evidence of the presence of the contagious form of pleura-pneumonia. The ther-nometer is of the utmost value in detecting the disease early. A physical examina-ion of the chest, the temperature, character of pulse and cough, will always be suffi-ient to diagnosticate the presence of pleura-pneumonia. That it is contagious will be een by the incubative stage, by the insidiousness of its course, and from the fact that t has no connection whatever with the causes which produce the ordinary form of this lisease, that is, with climate, exposure, change of weather, food, &c. Also from the act that it spreads by contact, and is very fatal. Lastly, some animals are not suscept-ble to the disease, about 15 per cent. escaping infection even when subjected to the nfluence of the contagion. The infecting principle of this disease is no doubt both fixed and volatile, for it is found in the blood, excretions, secretions, exudated lymph, nd in the expired airs. The vitality of the virus is great, lasting sometimes for sev-eral months. It may be carried by the air a distance of at least three hundred feet, while by means of diseased meat, affected clothing, hay, straw, cars and steamboats, it may be carried to long distances.

Mr. R. B. DUNLAP, Boligee, Greene County, Alabama, says:

We are troubled in this section with two diseases among farm animals, both of which are very fatal. One is known as hog-cholera and the other as the "negro disease." It is hard to tell which is the most fatal to this animal. Remedies do not amount to much, and preventives will be found the most profitable and economical. I believe hog-cholera can be cured after the hog gets sick, but it is too tedious to have to drench them. I have cured a few cases by drenching them with the following prescription: One gill linseed-oil and one tablespoonful of spirits of turpentine. I generally keep a trough under shelter in which I keep about one bushel of hickory-wood ashes, one pound of sulphur, one-fourth pound of assafetida, one bushel of well-beaten charcoal, and a sufficient quantity of salt to make them relish it. This will not only keep off the lice, but will also keep the bowels in a healthy condition. Lice are the forerun-ners of cholera. They irritate the skin of the hog, weaken it, and render it liable to the attacks of this disease.

MORRIS CROHN, V. S., Erie, Erie County, Pennsylvania, says:

Since my residence here I have not observed any epidemic proper, though the splenic fever has been raging quite violently among the cows for the past month or so. Thus far it has been only local; and it is very extraordinary that, in view of the lamentable lack in this country of proper provision against the spreading of disease, the splenic fever has confined itself to one locality.

Splenic fever is due to the decomposition of blood; and, as the spleen contains a greater percentage of blood than any other organ of the body, it is most severely affected and is totally destroyed if the disease be not arrested. Besides this, the kid-neys, and sometimes the bladder, will suffer from sympathetic affection, a bilious condi-tion being indicated by the eye. I think that splenic fever has its origin in one locality, caused by dry pasturage, stagnant water, filthy stables, miasmatic air, and gaseous exhalations of the earth; and its spreading is due to the disease-matter in the air and immediate contact with infected animals. In every contagious disease there is a vital

process, therefore all the properties of such a process are requisite for the existence of the disease. In order that the process of disease in an individual may develop, there is necessary the union of a predisposition (the inner element of disease) and an infection (the outer element). The predisposition, as the basis capable of development, is analogous to the conceiving function in the female, and the infection corresponds to the fecundating function in the male. As all disease is dependent upon the destruction of the healthy process, so the principle of disease in splenic fever is due to an unhealthy, abnormal condition of the blood, causing the decomposition of the latter and speedy death.

I think it incontrovertible that the decomposition of blood in splenetic fever may be accounted for by an insufficiency of iron in the blood. Proof of this is that in many cases coming under my personal observation, where a timely treatment with preparations of iron, together with tonics in emulsions, was pursued, the diseased animals were saved. One ounce of muriatic acid and fifty ounces of water administered once every hour, and after the fourth dose from one to three drams of quinine, is a very successful remedy. (Quinine, however, is too expensive for this purpose; cortex chinæ, from one to two ounces to the dose, may be substituted.) In addition to this, ice-water applications about the head and horns are of great benefit.

The disease appeared under three forms, with symptoms as follows:

1. Eye dull and inflamed; lack of appetite; feces thinner than usual, and slightly reddish; urine natural; pulse low; pulsation of heart increased. When the disease takes a fatal turn, chills and tremors appear; head and horns become hot; feces or urine bloody; pulse slow and at times suspended; beating of the heart perceptible; the eye assumes a dirty yellow appearance; horns grow cold and death takes place. Duration of sickness, six, forty-eight, and ninety-six hours.

2. Eye assumes a dirty red; pulse slow, suspending at times; beating of heart perceptible; urine bloody; feces similar to rice-water, offensive odor; head and horns hot. Duration of sickness from four to twelve hours. In this form of the disease a compound of one dram of opium and two drams of quinine has proven very beneficial.

3. I also noticed other varieties of splenic fever, which, however, were attended with no dangerous symptoms. Calamus and gentian combined with tannin makes a very good remedy.

There is a preventive to splenic fever used in Germany with good results, consisting of *natri sulphurici puto*, 540 grains, (*libram unam et dimidiam*), *sulphuris depurati pulv.* 180 grains, (*unc. sex*). This is given in tablespoonfuls with the food.

There were but few non-contagious diseases which in their acute form have caused any serious loss. I will only mention colic and quinsy among horses and calving-fever (puerperal fever) among cows. Most owners of horses know nothing of medicine, chemistry, &c., but with the aid of "receipts," so-called "doctor books," and the advice of unqualified persons, they regard themselves as fully competent to "doctor" their horses. They almost invariably treat quinsy for glanders. They set up some arbitrary, wrong diagnosis, and give the poor animals large quantities of useless, injurious medicines, thus causing the loss annually of thousands of horses which were simply suffering from colic. These self-dependent men cannot tell whether the colic is caused by inflammation of the bladder, spasms of the bladder, suppression of the peristaltic action, gases, peritonitis, enteritis, &c., or by mechanical or organic obstruction: they invariably administer the same medicine rather than go to the expense of a rational veterinary treatment. Just so it is with puerperal fever, which, if not rationally treated, is almost always followed by death. During my practice here I have not lost a single horse afflicted with colic, or a cow having the puerperal fever, and therefore regard the remedies applied by me in these cases as *specifics*, which I shall only give to the public for a suitable remuneration.

Mr. Thomas B. Lucas, Easton, Mason County, Illinois, says:

Hog-cholera prevails to a considerable extent here. The disease makes its appearance about once a year. My hogs have often been afflicted with it, but never lost alike. The fatality ranges from 10 to 75 per cent. Remedies are numerous, but none seem to be of any account. A frequent change of diet and of range would seem to be the best preventive, and a separation of the older from the younger hogs. The disease appears to be more fatal along streams and in timber-lands than elsewhere.

Chicken-cholera also prevails to a considerable extent, with a fatality ranging from 10 to 100 per cent.

Mr. L. B. Thornton, Tuscumbia, Colbert County, Alabama, says:

Horses here are subject to several different diseases, such as spavin, fistula, blind staggers, glanders, &c. The best remedy for glanders is to shoot the animal as soon as taken, for the disease is incurable. Feeding horses on more oats and fodder and less corn will be found a preventive for many of the diseases which afflict them, and will also keep them in good condition.

Cattle are subject to murrain, and in most cases the disease proves fatal. Good pasturage and regular salting are also good preventives of diseases among cattle. Common colic in horses and cattle is generally cured by carbonate of lime, a teacupful in a pint of water and used as a drench.

For foots in horses I have found the best remedy to be a strong sage-tea, with molasses.

Hogs are afflicted here with a disease called cholera, for which no remedy has as yet been found. Calomel is extensively given. My experience leads me to believe that if hogs have plenty of good water, and are salted regularly and given sulphur and ashes and a supply of bituminous coal occasionally, they will escape many of the diseases to which they are subject. A great many of the diseases which afflict swine are caused by worms and lice. I use grease and tar for lice and calomel for worms, with good results. Last year, when the hogs were dying here by scores, I kept mine up in pens, with plank floors a little elevated. I kept the pens clean and used coal-oil and sulphur to destroy the lice. I kept a constant supply of wood-ashes and coal in the pens, and during the prevalence of the disease I did not lose a hog. They thrived and fattened well, and contained no intestinal worms when killed.

Fowls are subject to chicken-cholera, which is seldom cured. My experience is that if fowls are kept in clean, well-ventilated houses, and given sulphur and lime to keep off vermin, and are fed well, they will remain exempt from disease. Care and attention to feeding well are indispensable to healthfulness in fowls as well as all kinds of farm-animals.

Mr. O. E. LOVETT, Saint Elmo, Fayette County, Illinois, says:

We have no diseases among farm animals except among hogs, and with us all the diseases affecting the hog are classed under one head, that of cholera. Four-fifths of all the hogs in this county have died during the past summer. The disease presents itself in a variety of forms. Some become stupid and have a high fever. Occasionally they have a swelling on the jaw, shoulder, or hip; some on one part of the body and some on another. These swellings are generally filled with water. The bowels of many were not affected, and to all appearances were in a healthy condition. Hogs thus affected would live from four to twelve hours. Those that had very high fever usually become lame in one or more of their legs. After death their lungs were found filled with froth and blood, but the bowels were apparently unaffected. Animals thus afflicted generally lived from two to four days. Others that had high fever were bloated in the bowels, and would cough and purge when made to move about. They also passed bloody water. Affected in this way, they would usually live from two to ten days. About one-third of this class recovered and are doing well. I tried about all the remedies mentioned in the newspapers, and used lime and carbolic acid both in powders and in a fluid state as disinfectants, but I cannot say that either did any good. In July I lost about 100 head of hogs. They all died inside of three weeks. The disease appeared and disappeared very suddenly. The few hogs that recovered are doing finely, and appear as healthy as though they had never been sick.

Dr. A. JONES, Centreville, Montgomery County, Arkansas, says:

We have had no epidemic disease among fowls for some time. The past spring, however, we had some chicken-cholera, a disease characterized by a lax condition of the bowels, with greenish-white discharges, and a greatly enlarged liver and dropsical condition of the heart. I examined many and found all to be in the same condition, more or less, according to the advanced condition of the disease. No certain remedy was found, though many were tried. The best remedy, however, was ground mustard in salt dough.

Hog cholera, or a disease characterized by a high fever, nervous twitching of the muscles and slight cough, some looseness of the bowels, drooping, &c., has existed, more or less, for some years past among swine. Nearly all that are attacked die. Twelve months ago three of my hogs were attacked by the disease. A neighbor sent word to give them one-half pound each of flour of sulphur, and he would pay for all that died. I did so, and they all recovered. Since that time I have had no more sick hogs. I would like to hear of the sulphur remedy being extensively tried.

Mr. W. N. COWAN, Gadsden, Etowah County, Alabama, says:

Cholera is the only prevailing disease among our hogs. Frequently its fatality is 50 per cent., and sometimes as high as 75 per cent. Various remedies are used, but with little or no effect. Epizootic in horses prevails to some extent, and in aggravated cases seems incurable. Some mild cases pass off like mild attacks of distemper. At some seasons and in certain localities cholera is very fatal among fowls. We have no remedy. Our ladies would rejoice at the discovery of either a preventive or specific for this scourge.

Mr. H. S. DODD, Dodsville, Marion County, Arkansas, says:

During a residence of six years in this county I have not known anything like an epidemic among farm-animals or fowls in my neighborhood. In the county of Boone adjoining this on the west, some cattle have recently died of what is called dry murrain, and many hogs have died of cholera. I examined one cow, and found the same symptoms present as observed in cases of Spanish or Texas fever in cases which I had examined seven years ago in the State of Kansas. I find on inquiry that Texas or southern cattle have been driven through Boone County the past summer, and therefore believe the disease to be the same. The first symptom noticeable is a staggering movement. In the second the ears and head droop, the eyes sink in the head, and the toes of the hind feet drag on the ground. The duration of the disease is from two to six days. On examination the urinary organs present a very large and inflamed condition. The stomach is discolored to a black or dark red, and the contents are very dry and hard. Some remedies have been administered, such as diuretics and very active cathartics, with considerable success. My opinion is that such treatment is wise, and will in almost every case effect a cure where the treatment is persevered in and not delayed too long in the beginning. The diuretic used was nitrate of potash and spirits of terebinthina the cathartic. Hog's lard was also used in large and frequent quantities. Congress would do a wise thing by making an appropriation for the investigation of these dreaded diseases.

Mr. H. F. SCHENCK, Cleaveland Mills, Cleveland County, North Carolina, says:

The only fatal disease we have to contend with, and which seems unmanageable, is what every one here calls cholera among hogs and chickens. It appears almost every summer or fall among the hogs in this county, and goes through one neighborhood one season and some other one the next. It does not seem to spread widely over the same country any one year, but seldom fails to appear each year. The animal when attacked first shows symptoms of drooping, and although they eat at first they often vomit after eating. They generally die within from seven to fourteen days. I would roughly estimate the fatality at 33 per cent. of those attacked. Of those that survive it often two months before they finally recover. Many remedies have been tried, but with but little success. It has never but once attacked my stock, and therefore my experience with the disease is limited. Last year I had but seven hogs, and six out of the number were attacked. I observed it closely for a few days, and came to the conclusion that instead of its being cholera, as it was called by my neighbors, it was nothing more than simple constipation. They had no action of the bowels that I could discover. I gave them large doses of calomel, put them in a lot until it operated freely, and then turned them out. They all recovered. I advised my neighbors whose hogs were similarly affected, to try calomel, which they did, and since that time there has scarcely been a death.

All that I have said about hogs is applicable to fowls.

Mr. J. F. SELLERS, Perryville, Perry County, Arkansas, says:

Cattle a few years ago were subject to murrain, but now this disease is almost unknown. Horses have no diseases, except now and then a case of blind staggers, which farmers say generally arise from feeding inferior corn, and such diseases as fistula, &c., which are too common and the treatment too well known to require notice here.

We have at this time a disease raging among hogs which is thought by some to be the common hog cholera, but by others this is denied. The attack is made known by the general drooping appearance of the animal and a laxity of the bowels, though this last symptom is not seen in all. They generally die at the end of a few hours, greatly emaciated. They sometimes very suddenly swell under the throat after death, and these are thought to have been in some manner choked or suffocated. It has been noticed that those hogs that stay around houses and sleep in dry beds are much more liable to this disease than those that run in the woods and sleep without shelter.

Mr. JAMES H. RUMBOUGH, Warm Springs, Madison County, North Carolina, says:

Among some farmers of this section cholera sometimes prevails to the extent of destroying all the hogs on the farm. I have, however, never had a case, using as a preventive a weak solution of concentrated lye. I cannot learn of any intelligent remedy that is employed in this immediate section, and, having had no experience myself with sick hogs I am unable to suggest a remedy, or present any peculiarities of the disease, as I am not at all acquainted with the symptoms of hog cholera. But I am of the opinion that the disease in this climate is solely attributable to want of proper care

nd intelligent attention, over and irregular feeding, exposure to inclement weather, lthy quarters, want of salt, in the absence of which latter the animals sometimes re-ort to dirt and the accumulations in their pens.

The chicken cholera is sometimes prevalent here among that class of fowls which is he staple poultry of this section. I have no experience of any value in regard to this isease, and no suggestion beyond the want of proper care and attention on the part f a rustic population who have no idea as to the importance of attention, proper food, rotection from the weather, provision of proper gravel, or cleanliness of roosts and uarters. Being a country of prolific vegetation, and the fowls being allowed to run t large over the farms, the young ones are subjected to the damp and cold of the ews and rains, which superinduce diseases peculiar to young chicks.

I am of the decided opinion that in a climate like this, naturally free from epidemic iseases to man and beast, that care and attention, intelligent regard to the comfort nd food of animals, will constitute good, effective, and sure preventives of diseases f all kinds among animals and fowls.

Mr. W. H. SILOW, Bay Minette, Baldwin County, Alabama, says:

Chickens have been affected more or less with a disease known in this locality as holera. The fowls may be fat and perfectly healthy one day, and the next morning e found dead under their roosts. Some linger longer, droop around and gape a day r two, and then die. The gills become sallow and apparently bloodless. The dis-harges are green and very offensive. Not more than one in twenty-five recover. Some ew have a second attack of the disease. Many remedies have been used, but I cannot ay that any of them have proved sufficiently beneficial to be recommended. The dis-ase is confined mostly to the Brahma breed. We have come to the conclusion that it s useless to doctor a chicken where the disease has progressed to any considerable ex-ent. Black pepper appears to be about as good a remedy as anything else.

During the winter of 1876–'77 about half the sheep of this neighborhood broke out with what farmers called the rot. They lost flesh until they were greatly emaciated, nd then the wool would almost all come off them. When attacked they would wan-der off singly or two or three together to some retired place, where they would linger for about a week and then die. I think about one-half of those attacked died. The loss caused a great falling off in the yield of wool in this section. They now seem to be doing well and are comparatively healthy.

Mr. ANDREW JAY, jr., Jayville, Conecuh County, Alabama, says:

The importance of the object sought to be accomplished in your proposed investiga-tion of the diseases of farm-animals would be hard to overestimate. It is a much-needed movement, for I know of no reliable remedy for any of the diseases which afflict farm-animals. The diseases existing among horses are colic, bots, or grubs, scours, stag-gers, distemper, and glanders. That among hogs is called cholera. Whatever disease may afflict a hog it is called cholera, yet it is very evident that the symptoms and ef-fects greatly vary. Half of all the hogs in the county have died of some disease dur-ing the present year. Cattle are less subject to disease than any other class of animals. Occasionally, however, they have what some call murrain. Sheep likewise are subject to disease, and more so when huddled closely together. But I am too ignorant on the subject of diseases, as seems to be the case with all of our people, to have yet discov-ered or learned enough about the causes or cures to be of any real value. Cures are generally accidental, if at all. Sometimes the animals will recover in spite of the rem-edies given.

I regret that I am unable to contribute anything toward advancing so valuable and important a work. I would most cheerfully do so if I could, for I need its advantages and will be very grateful for any information growing out of this investigation.

Mr. C. H. JERNIGAN, Enon, Bullock County, Alabama, says:

Horses, cattle, and sheep here are subject to the usual diseases incident to these ani-mals, for which various remedies are used. Hogs are subject to cholera, for which no remedy has been discovered. I would like to investigate this disease for the purpose of discovering its cause had I the means at hand. Chickens are also subject to cholera, so-called, and are also frequently afflicted with a disease called "sore head." No rem-edy is known for the first. As a local application, kerosene oil and lard, in equal parts, has been found a specific for the latter.

Mr. THOMAS DUNNINGTON, Pine Bluff, Jefferson County, Arkansas, says:

Notwithstanding the frequent prevalence of chicken cholera we find the raising of fowls profitable. The symptoms of the disease with us are a drooping appearance, in-

disposition or inability to eat, and death in a short time. We have used soda and sulphur as remedies, and cleanliness of houses as preventives, and by such means have managed to raise chickens and eggs sufficient for our own use, which we find cheaper than the raising of pork on the same amount of food.

In this section of country a great many hogs have been lost by a disease called cholera. It makes but little difference as regards symptoms; all hogs that die are afflicted with either cholera or mange. Those that are affected with mange are covered with a dry scuff, waste away, and soon die. The first symptom of cholera is a loss of appetite, then follows a jerking or heaving of the sides, which is soon followed by the death of the animal. We are a slipshod set of farmers, and make no investigations for determining the causes of the various diseases which affect our animals. We depend too much on nature, with its sun and rain, and try to go it easy.

Mr. Ira R. Foster, Gadsden, Etowah County, Alabama, says:

Horses are afflicted with numerous diseases, the most alarming and fatal of which are "bots" and colic. The former manifests itself suddenly and produces great agony, which frequently results in the death of the animal in a few hours, occasionally in a few minutes, and upon a *post-mortem* examination the coats of the stomach are found partially destroyed by the worms or grub. The symptoms are a disposition to frequently lie down, stretching the head and neck on the ground, drawing up the top lip and showing the teeth plainly, casting the head back behind the fore legs with nose to the body, excessive perspiration, but no swelling of the body. The symptoms of colic are pretty much the same, and the two diseases are often confounded; but in the latter the body is almost invariably more or less distended, and not unfrequently to an alarming extent. We have no reliable remedy for the bots in cases where the animal is violently attacked. The main hope against its deadly ravages is by means of preventives. The colic is more manageable, generally yielding to large doses of carminatives and anti-spasmodics and purgatives combined, such as cloves, pepper, &c., laudanum, paregoric, ether, &c., and salts, castor oil, turpentine, &c. A slip of moistened tobacco inserted in the rectum is worthy of trial. By regular feeding, watering, and exercise the disease would be less frequent. Of horses violently attacked by bots, 50 per cent. die in less than twenty-four hours. Not more than 5 per cent. die of colic.

Distemper, bloody murrain, hollow-horn, and hollow-tail are the diseases which mostly afflict cattle. The first-named manifests itself in and about the head by the issuance of feculent and corroding pus from the nostrils and eyes, with loss of appetite, attended with great lassitude and exhaustion. I have found mercurial purgatives aided by salts, the most satisfactory remedy. This disease is not so malignant and fatal as in former years. The murrain is common and fatal. It is manifested by discharge of bloody urine, loss of appetite, constipation of the bowels, fever and total lassitude, and a general drawing up of the body. No favorable remedy has been presented. Cooling cathartics combined with diuretics and diaphoretics have been tried with partial good results. At least 50 per cent. die when violently attacked, and generally within one or two days. Hollow-horn is common, though not necessarily fatal. It shows itself in cold horns and languid looks, loss of appetite, indisposition to move about, seeming great shrinkage in size of body. If neglected, the animal will die from exhaustion in six or eight days. The disease generally gives way after boring with a large gimlet into the center of the horn (which is usually found hollow) and injecting vinegar, table salt, and black pepper daily for several days; also bathing the horns near the head with spirits of turpentine. The hollow-tail is easily detected by manipulating the tail from root to tip. A portion of the bone will be found destroyed by absorption, say from three to ten inches in length. Make an incision to the center of the tail where the bone is missing, and insert a liberal quantity of black pepper and salt. Then close up this orifice and bandage well, and the animal will soon recover.

Cholera is the main disease afflicting hogs. It is common and emphatically fatal, often killing by the hundreds within a few days. On its first appearance it generally selects the best and fattest hogs for its victims. Although many remedies have been tried, and some with apparent success, none seem to be at all reliable. A sure remedy would save millions of dollars annually. A remedy for this disease we need above all others. If found, the farmers could and would advance in prosperity by raising hogs for market as well as for home consumption. If your department can give to the country that remedy, you will have done a great work—one so great, indeed, that its merits and bounds cannot be measured.

Sheep, when in large flocks and closely penned, die by the hundreds of the various diseases which afflict this class of animals. Small flocks in open and broad pastures thrive, and would be remunerative if it were not for the lean and hungry dogs. The rearing of sheep is sadly neglected at the South.

The cholera among chickens is most insidious, and its causes less understood, and it perhaps proves more fatal than all other diseases combined. A great many die with

ıpes. This disease is caused by nits and mites, which is the result of uncleanly and ıproperly ventilated quarters. A great many remedies have been tried. A very mple one is to rub the fowl with kerosene oil, and put one or two drops down its ıroat. This will generally destroy the vermin. The better plan is to keep clean ›uses, as prevention will be found worth a pound of cure. This is applicable to all asses of farm-animals.

Mr. W. J. EUBANK, Birmingham, Jefferson County, Alabama, says:

There have been no diseases prevalent here among horses since the epizootic influıza, which is still fresh in the minds of the people of the whole country. They occaonally die with colic, inflammation of the lungs, inflammation of the bowels, &c.; ut as there are no veterinary surgeons here, little is known of the causes of these disases. Cattle occasionally die with murrain. Goats are almost free from disease. ccasionally numbers of a flock will die with a malady little known here. They are enerally attacked with a fit. When apparently healthy they will sometimes begin urning around, which they will continue until tired out, and then fall down. They ıay get up soon and stagger about a day or two and die. Sometimes they will lie round three or four days, apparently unable to get on their feet. Now and then one rill recover without treatment.

Hogs are afflicted with cholera and quinsy. In the dry weather, during summer and all, when they are obliged to lie in dust, pigs and young hogs are frequently attacked rith a disease that has only been known here some three or four years. Little pimples nake their appearance on the body similar to small-pox sores. The skin under the ›dy and inner part of the legs reddens, the nostrils swell, and the patient dies within rom three to ten days. I could learn nothing from a *post-mortem* examination. The ungs and intestines appeared natural. The disease is confined solely to pigs and young ıogs.

Poultry sometimes have cholera and roup. The former I know nothing of, but the atter frequently occurs in cool, damp weather in spring. The head swells, the nostrils ınd eyes inflame, and discharge a viscid mucus. The nostrils should be syringed with ı solution of carbolic acid or nitrate of silver, and sulphur given internally in feed. Where stock are well cared for and supplied with a variety of food and plenty of salt, hey rarely ever suffer from any disease.

Mr. JOHN KENDALL, Amo, Hendricks County, Indiana, says:

The only disease prevailing here among any class of farm-animals is that affecting ›wine. A diagnosis of the disease, as a rule, seems to be about as follows: First, the existence of a dry cough for weeks before any dangerous symptoms are manifested. Second, refusal to eat, and a disposition of the animal to lie down with its feet under its body. Third, excessive purging in many cases, the excrements frequently being black. Fourth, constipation. In cases where the urine is very yellow, or where bleeding at the nose occurs, death soon follows. Many will linger a long time after they have lost all disposition to eat; others will die within a very few days. The mortality is greatest among pigs. Where older hogs are attacked, from 10 to 25 per cent. recover.

Every hog that dies in this section of country is said to have died of cholera. On examination dead ones were found to contain worms in the intestines. No satisfactory remedy has been found, notwithstanding the many "patents" and "sure cures."

The disease prevails more extensively during July, August, and September, and diminishes as frost and cold weather approach. A lot of my pigs were affected with a cough, as before stated, but about the first of September I had a valuable horse die. I cut the carcass open, salted, and allowed the pigs to devour it. Soon after they commenced feeding on it the cough disappeared, and the pigs have since been apparently healthy. Whether this was due to the fresh meat and change of diet, I cannot say.

Mr. IRA ROWELL, Danvers, McLean County, Illinois, says:

The "hog question" has been discussed for the past ten years in the farmers' club at this place, without any definite conclusion having been reached as to the cause or remedy for the diseases incident to this class of animals. No two persons have ever agreed upon the subject, which has been discussed until it is threadbare. It is now universally believed, however, that alkali in some form is the best preventive of so-called hog-cholera.

Many of those who have taken the best of care of their hogs, and escaped the disease for many years, were at last visited by it, and lost as heavily as those who paid less attention to their stock. At present some of my neighbors are suffering heavy losses among their hogs, while mine are comparatively free from disease, and have been for a number of years. But my turn may come soon. I have a shelter for my hogs, open on two sides, and keep salt and ashes always before them.

Mr. J. T. LAW, Hawk Ridge, Coffee County, Alabama, says:

Cattle in this county have been in good condition for several years past until recently. They are suffering to some extent with a disease called murrain, which proves very fatal. For several years past swine have been afflicted with a disease called cholera. Mine were first attacked during the war, and I have not been successful in raising hogs since. There are various supposed causes of the disease. Some think that an exclusive corn diet will produce the disease. Others think it is brought on by the hogs feeding on mushrooms, which grow plentifully in the bottom-lands. A farmer in Pike County informed me recently that he had been in the habit of giving his hogs nux vomica, and that he had never lost one by cholera. Last spring I commenced feeding this drug in slops from the kitchen, and since then my shoats have been doing very well. I also feed a little corn.

Chickens in some localities are dying rapidly of a disease called cholera. I have heard of no remedy that has a tendency to arrest the malady. The excrements under the roosts are of a deep-green color.

Mr. W. B. DERRICK, Baileyville, Ogle County, Illinois, says:

In regard to diseases of farm-animals in this locality I would say that, during the past year, stock have generally been healthy, excepting that a considerable number of hogs have been affected and some have died. Last summer a disease prevailed among the swine in the western part of this county, and in adjoining counties, which was termed "hog-cholera" by some, but more properly "lung disease," as the attacks were accompanied by cough and congestion, which in many cases soon resulted fatally. On a *post-mortem* examination of some it was found that the lungs were badly diseased, and apparently the direct cause of death.

Within the past few weeks a number of hogs have died quite suddenly in this neighborhood, from a disease supposed to be the veritable hog-cholera, as only certain herds were affected and were soon decimated, while other herds in the vicinity escaped. The hogs affected suffered from purging, and death soon ensued. I am unable at present to give you a definite diagnosis of the disease, nor have I heard of any effectual remedies after the animals have become badly affected. Several preventives and specifics have been tried. The best preventive, I think, consists in keeping the animals in a sound, healthy condition, by feeding them wholesome food and keeping them in clean, well-ventilated quarters.

Last winter a large number of swine in this locality were afflicted with a cough, but the most of them recovered in the spring.

Mr. E. P. CHANDLER, Holly Springs, Dallas County, Arkansas, says:

We have only to note a disease prevailing among hogs, which we term cholera, but it is somewhat different in its diganosis from the cholera which prevailed to an alarming extent in this section some years ago. The first symptom noticed is an indisposition to eat or take nourishment of any kind, which primary symptom is followed with purging and vomiting in most cases, but in some a complete cessation of the secretions or excretions, accompanied with high febrile symptoms. The duration of the disease is from one to five days. The principal remedies used have been arsenic, turpentine, coal-oal, and opium, and some farmers have even resorted to mercurial preparations, but all with about the same effect; that is, the loss of about 75 per cent. of the hogs that have been attacked. At least 50 per cent. of the hogs in some localities have already died, and the disease still rages with unabated violence.

Mr. EZEKIEL HEMSINGER, Burnt Prairie, White County, Illinois, says:

All the material drawbacks we have here in stock-raising is that among swine, known as "hog-cholera," and from this cause our farmers have, to say the least, been kept down, and some of them have even lost their homes. We have suffered from it now for seventeen or eighteen years, it having reached us in less than twelve months after it first started in Ohio. In the first place, we are convinced that it is a contagious disease, as hogs very rarely take it in any other way than from contact with diseased animals. I live in a hog-raising district, and for twelve years past this has been the universal belief of our farmers. In all this time, with the closest observation, we have not known certainly of a case where hogs were kept in an inside inclosure where others could not reach them.

It is also a well-established fact that hogs have the disease but once. Though some of the herd may sometimes show signs of the disease, they never take it again under any circumstances. A sow may pass through cholera when a pig. If kept for a farrowing sow she will continue to bear her pigs in the midst of a dying herd until she dies of old age, and never again be affected by the disease. What is very strange and unaccountable, is the fact that her pigs, as long as they draw nourishment from the

mother, will not take the cholera, but as soon as they are weaned they take it as others do.

The disease usually sweeps over our country once each year. Sometimes two years may intervene, but such a rest we have never had more than once or twice. It generally reappears about eight or ten months from the time of its previous appearance, just as measles and whooping-cough in the human family periodically reappear. We hear of the disease as existing at some distant point, and watch its progress. It gradually approaches until it reaches our next neighbor. If we can now succeed in keeping our hogs and pigs in an inside inclosure, at some distance from the infected ones, they will remain safe; but if they are allowed to smell of a sick hog through the fence they invariably take the disease, which makes its appearance in eight or nine days after being exposed to it.

The first symptom of the disease is a short, quick cough when disturbed, and an inclination to lie in bed. Some will be severely purged and others will vomit, while some will do both. These symptoms are followed by high fever, unusual thirst, and a high, purplish discoloration of the ears, belly, and flank. The duration of the attack greatly varies. Some die within ten minutes after the first decided symptoms manifest themselves, while others may linger a month and then die. The fatality of the disease also varies. Some herds may escape with a loss of 25 per cent., while others may be decimated to the extent of 90 per cent. It is not uncommon to hear of the loss of all in small, well-kept herds. The average loss is about 50 per cent. of all hogs attacked.

As to cures, we have found none. The most successful treatment we have ever found is to keep them away from water and sheltered from snow and rain. It matters not how hot the weather may be, they should have no water either to drink or wallow in. If they have grass or clover to feed on, give them nothing else. It is better for them to have nothing at all for the first week than to feed them on corn. They should not be crowded, and if daily changed from field to field, so much the better.

The majority of writers on hog-cholera seem to know but little about the disease which bears with such crushing weight on this and similarly situated districts. It is claimed by almost all of them that it is the neglect of proper sanitary conditions; but when the disease prevails, it is a well-known fact that among the best-fed and best-grown hogs the fatality is three or four fold that which attends hard-favored, poor shrimps that are but half fed and never properly cared for. We all agree that unhealthy food and foul bedding engenders disease among swine, but that has no relation to our Western hog-cholera.

In all older-settled parts of our country, hogs are restrained from running at large. This is the practice in the prairie counties of Central Illinois, where the disease is not known; but even in this section of the State there are some farmers who shut their hogs up in the barn-lot, where they are compelled to bed in the manure heap, and where they soon sicken and die of filth. Those who raise hogs successfully keep them on clover in summer; and if they have the range of the whole field for choice of bedding and of cover, they will bed in a clean place. We think we have learned by experience that there is no more healthy diet than clover for hogs, yet it is not uncommon for 75 per cent. of those so kept to die in the clover-field.

Some persons urge as an argument against the theory of contagion that the disease must have a start somewhere. We know it has a start; but where and for what purpose, we are ignorant. Isolation sometimes prevents its appearance, but not always. I have practiced this plan, and sometimes have succeeded in preventing the appearance of the disease; but at other times I have failed, and have lost hogs to the amount of $1,000 at one visitation.

Since cholera has proved so fatal among hogs, every sick or dead hog is charged to the account of this disease. Even scientific investigators have greatly erred in mistaking manure-befouled sick hogs for cholera cases.

Mr. A. P. Green, Vermontville, Eaton County, Michigan, says:

I have had but few opportunities of making a diagnosis of the diseases which afflict farm-animals. For many years past this section has not been troubled seriously with any contagious disease where fatal results have followed. The epizootic, which traveled over nearly the whole country in 1875–'76, has left many of the horses in this locality in an unhealthy condition, afflicted with discharges from the nostrils, swelling of the glands, and coughing, with rather a heavy appearance of the latter at times, but unlike the heaves. When an abundant draught of cold water is taken the indications of wind-broken breathing cease. The animal becomes quite enfeebled in constitution.

Mr. John G. Oxer, Campbellstown, Preble County, Ohio, says:

On the manifestation of the first symptoms of a disease which so seriously and fatally afflicts hogs in this locality, the animal assumes a dull and sleepy appearance,

staggers when it attempts to move about, and seems weakest in its hinder parts. usually wants to hide itself in litter and straw, and when it does so lies flat on belly. In most cases there are frequent slimy discharges from the bowels, accom nied with profuse bleeding at the nose. Large hogs become very much prostra within from twenty-four to forty-eight hours, and quite frequently die within t period. The fatality is greatest among pigs from four to seven months old; the ease quite often carrying off from 80 to 90 per cent. of the younger shoats. Am hogs that have attained their growth the loss is from 40 to 50 per cent. The dis is usually attended with high fever and great thirst. The skin is generally cov with small red spots of a very deep color, and before death ensues the breathing o becomes very laborious.

After death the internal structure of the hog is generally found to be perfect, ex the lungs. In most cases these important organs are found in a very unhealthy dition, in many cases presenting the appearance of jelly. As regards remedies preventives, almost everything has been tried, and I can say, from experience close observation, with very little success. My remedy would be to separate the from the well hogs, and kill the infected ones as fast as they show symptoms of disease.

Mr. J. E. MINTER, Boonville, Owsley County, Kentucky, says:

Hogs in this locality have been afflicted and are now dying of a disease know cholera. The disease is not so prevalent or fatal, however, as in former seasons. have no preventive or remedy for the malady. Fowls are also dying quite rapid chicken-cholera. When attacked the gills of the fowls turn pale, they lose their d and generally die very suddenly. We have no remedy for the disease.

Mr. J. W. NICHOLSON, Camden, Camden County, New Jersey, say

Quite a number of horses have died here with something like "dumb colic," a ease which makes very rapid progess; if not relieved, generally ending in the deat the animal within from four to eight hours. The most effectual remedy that has to my knowledge is sulphate of ether and laudanum. Some few cases of "mad s gers" have occurred, for which there seems to be no remedy. I know of no o disease among horses which assumes anything like an epidemic form. We have a few cases of Texas fever among cattle, for which no successful treatment has discovered. Cholera among hogs probably kills 5 per cent. of these animals. L from chicken-cholera will reach 10 per cent. of all the fowls attacked. No trea of this disease has proved of any benefit. It sometimes leaves only two or three f out of a large flock.

Mr. FRANK HERR, Waterloo, Monroe County, Illinois, says:

For the past year the hogs in my neighborhood have been more or less afflicted w malarial fever. The disease commences with red and sore eyes, which symptom a day or two, when the hog grows stiff, shivers with cold for a few minutes at a t with intermittent heat as of a fever, after which it dies within from three to f hours. My remedy is twenty-four grains of quinine, given in sugar and sweet mi three doses a day; or given in apple-butter forced down the throat, if the anima longer eats. I found this a pretty effectual remedy. I give pigs three or four gr of quinine per day in some manner.

I have seen a few cases of milk-fever among cows, which generally killed t within from six to fifteen hours. The most lingering case extended into a per three days. I had good success in administering Glauber's salts and saltpeter in re able doses. In the early stages of the attack I gave cold water injections every hours. If badly constipated I also gave one-half pound of Glauber's salts and a pint of raw linseed-oil at intervals, until a passage was effected. I then gave drachms of pulverized camphor in strong valerian tea and kept the cow warm.

Mr. CHRISTIAN HERGENROEDER, Waterloo, Monroe County, Illin says:

We have had numerous cases of sick hogs here. The difficulty seemed to be located in the throat. I gave sulphur in all cases, but it did no good. The would continue to eat heartily up to the time of their death.

Some chickens have died of cholera. I gave berries of bitter-sweet in water. cannot say that it did any good. The disease continued for about three weeks

FRANK ADELSBERGER, Monroe County, Illinois, says:

Personal experience with diseases of animals relates only to hogs. Two years ago, within a period of six months, I lost thirty head. They were a mixture of the Chester-White and Poland-China breeds, and were running in a large dry lot with plenty of fresh water to drink. They were attacked with sore throat, which symptom desired as soon followed by swelling of the neck. They either could not or did not six to eat. I gave them lime, coal-stone, and sulphur. The epidemic lasted about the weeks, and the hogs attacked died within from twelve to ninety-six hours after in first symptoms were observed. There was no straw or chaff in and about the lot which they were confined.

Mr. D. WISHMEYER, Waterloo, Monroe County, Illinois, says:

I can only give my own experience with one class of farm-animals, that of hogs. I have had five that were taken sick this fall and but one of them died. Frank Herr cured four of them with a remedy which he gave in sweet milk and sugar. I do not know what remedy he used. The hogs were afflicted with diarrhea and refused to eat. Cholera carried off a good many of my chickens last spring. I gave them red pepper, but cannot say whether it was of any benefit or not.

Mr. JOHN HERZLER, Huntsville, Madison County, Alabama, says:

In August last a disease made its appearance here among hogs, and by December about all that were affected had died. Up to that time mine had remained comparatively healthy, and none of them had died. I had about one hundred and forty head, and they were running in a plowed field containing about one acre to each hog. I noticed that they kept themselves well rooted into the ground and laid a good deal of the time on their bellies. Before sowing the field to wheat I removed them, and in about a month thereafter they began to die. I lost about all those that had access to the barn-yard and slept in hot places. I penned seventy-five head in a plowed lot containing about one acre of ground, and in March and April, after the lot had become hard and dry, they all died but ten. I think they were affected with typhoid fever and inflammation of the bowels. Some few would become lean and would linger for a long time; but as a general thing they died during the night, although they were apparently in a healthy condition the evening previous. Some few got well. Among those that recovered were some that I fed on warm blood from the slaughter-house. After I turned them out into the woods and swamps they entirely recovered.

Mr. DANIEL GILMAN, Geneseo, Henry County, Illinois, says:

I find that it will be impossible for me to devote the time necessary to make a satisfactory report on so important a subject as that relating to diseases of farm-animals. It is something that ought to be attended to at once in this part of the country, as the hog-cholera sweeps off thousands of dollars' worth of swine every year. I regard the disease as the most important one in this locality, and, from its varied symptoms, I am satisfied it will require a thorough investigation to determine its causes and find a remedy for the scourge.

Mr. JOHN T. GIBBONY, Lamar, Barton County, Missouri, says:

Cattle have suffered considerably in various portions of this county, and quite a number have died from Texas fever, a disease contracted from herds of Texas cattle which were driven through the county. I have heard of no successful remedy for the disease. The contagion was confined to the different localities through which the cattle passed, and did not spread.

Hog-cholera carried off a number of hogs during the past year. Those on the prairies did not suffer to such an extent as they did in other localities. The disease seemed to be more prevalent in the timber-lands and along its margins. Here the hogs were allowed to run at large in great droves. The land was low, and in some places wet, while on the prairies it was dry; besides, they were confined together in small herds.

Mr. W. P. JACK, Russellville, Franklin County, Alabama, says:

Candor compels me to state that as yet I think there is very little real information possessed in this county on the subject of hog-cholera, which appears to be the main disease affecting farm-animals. So far as my information goes, there has been no cure discovered for the disease. It is certain, however, that hogs can be kept healthy by using preventives. In my own experience I find that when I use them I lose no hogs, but if

neglected they are apt to sicken and die. The preventives which I have found most effective are such as will keep the lice off them and expel the worms from the intestines. According to my theory they are the main cause of what is known as hog-cholera. I have used tar in early spring, both internally and externally, as a preventive, with unfailing success. Pine seems to be a natural medicine for hogs. In the mountains they hunt for pine roots and eat them freely. Many men who reside in the mountains have told me that they never had a case of hog-cholera, and they attribute the escape of their hogs to the fact of their eating pine roots. Poke-root is another natural medicine for hogs; they root for and eat it freely. It should be boiled with their slop. Sour slop is also a preventive. This should be mixed with charcoal. Frequent salting is indispensable. Copperas is also good as a vermifuge, and bluestone is likewise a fine remedy as a preventive.

An experienced farmer told me that last autumn, after he had lost sixty head of hogs by cholera, he had a very sick one which refused food of any kind. He finally gave it peach-tree leaves, which it ate; he then gave them to the rest of his flock, and did not have another sick hog.

I think your inquiries will do a great deal of good by directing the attention of stockmen to a subject of such vital interest to them. Heretofore, I am sure, those losing hogs by cholera have been too careless in not dissecting them, hence the difficulty at present in getting a correct diagnosis of the disease. Hereafter, should other cases occur, they will be more careful to collect the desired information. I think it will ultimately be found that hog-cholera is not *one*, but that various diseases are included under this name.

Mr. S. W. COCHRAN, Union, Fulton County, Arkansas, says:

The southern and western portions of this county have been exempt from diseases among stock of all kinds, and stock generally is in fine condition; but the northern and northeastern portions of the county have suffered greatly from a singular and fatal disease among hogs. (I live in the southern portion of the county.) Having heard of the great fatality among this class of animals, and wishing to carry out the request contained in your letter, I saw one of the sufferers in the infected district, and the one I considered most competent to answer your inquiries, and handed him one of your circulars. I sent another one to a prominent breeder in the infected district, and from them I am persuaded you will soon receive full answers to your inquiries.

The gentleman I conversed with told me that at least half the hogs in his neighborhood had died. He said the hogs were differently affected, but death was certain in every case. Being satisfied that those to whom I have intrusted your circulars will write fully in regard to the disease, I leave that to them. But I cannot close without assuring you that I appreciate the object you have in view and the plan you have adopted, believing it may possibly be the means of saving millions of dollars to the farmers of our beloved country.

Mr. A. B. GILBERT, Boonville, Owsley County, Kentucky, says:

There is no prevailing disease among any class of farm-animals in this county except a disease called cholera, which is very destructive to swine. It destroys more hogs than all other diseases combined. No certain remedy is known. We use as a preventive, which is better than a cure, the following prescription, and keep the hogs when sick entirely away from water, viz: One ounce each of brimstone (sulphur), copperas, saltpeter, indigo, borax, and assafetida, well pulverized and mixed with meal or mush; this quantity to be administered to fifty head of hogs.

Chicken-cholera is also very destructive to all kinds of fowls. No remedy is known for this disease.

Some farmers in this county have lost over one hundred head of hogs. Almost all the pigs have died.

Mr. W. B. KENNEDY, Cortland, Trumbull County, Ohio, says:

I have lived as a farmer in this county for sixty-three years, and since the murrain left it, forty years ago, we have had no disease among cattle until last fall, when quite a number of calves, from six to eight months old, died of what we called "blackfoot." It commenced by swelling in the forward legs and shoulders of the animals and affected their breathing. They died within two or three days.

Mr. J. B. RANDALL, McArthur, Vinton County, Ohio, says:

In past years we have had a few cases of cholera among hogs, but have none at present. We think the disease is induced by putting too many of them together, and allowing them to run in the mud and drink impure water. Copperas and sulphur, fed

pretty freely, will be found the best remedy. As to cures, all I can say is that we have found none.

Chicken-cholera exists among fowls. Sometimes we succeed in curing them by placing black or red pepper and copperas in their food. We find, however, that those who properly care for their hogs and fowls are never troubled with the cholera.

Mr. ALEXANDER LITTLE, Locksburg, Sevier County, Arkansas, says:

Our greatest losses here are in hogs. A number of remedies are used, the following being the most effective: One teaspoonful each of turpentine, calomel and coal-oil, well mixed and used as a drench three times. As a preventive the following will be found very good: One pound each of copperas and sulphur, and two pounds each of common salt and lye-soap. Mix well with meal or bran and give in slop or dough. I have used this preventive for four years and have not lost a hog, while A. L. Marsh, D. M. Johnson, William S. Ferguson, and many others, have lost hundreds of dollars' worth—two hundred head at least.

Mr. J. M. PETTIGREW, Charleston, Franklin County, Arkansas, says:

There are but two diseases that prevail fatally to any very considerable extent among domestic animals in this county, to wit: The hog and chicken cholera. In this locality the hog-cholera seems to embrace several diseases; and its diagnosis is various. In some instances the hogs have a slow and continuous fever; they become sluggish and seem loath to move; the hair becomes of a reddish color; they have no appetite. In this drooping condition they gradually grow weaker and weaker until they die, but few recovering. In some cases the first symptom is stiffness in the limbs and joints of the hogs; they move as if they were severely foundered. Soon the skin becomes ulcerated over the body, and about the joints and nose boils will break out, emitting an offensive purulent matter. Fever accompanies these symptoms. This type of the disease is very fatal. What few hogs recover shed off most of the hair.

In other instances the lungs and throat seem to be the seat of the disease. The throat and chest become swollen and the animal is afflicted with a cough and difficulty in breathing. These symptoms are attended with fever, and prove fatal in a great majority of cases.

The foregoing are the prevailing types of the disease known here as hog-cholera. By whatever type of the disease the hogs are attacked the same type prevails throughout the entire herd.

No certain remedy has been found. Copperas and blue vitriol are the most successful remedies used here. They are more valuable as a preventive, however, than as a cure. After the hogs have been attacked no remedy has been found to cure any considerable number of them. A variety of food seems among the best of the preventives. During the past summer and fall I fed my hogs copiously on peaches and apples as they fell from the trees, and they have been entirely exempt from cholera and other diseases, while my neighbors' hogs not so fed have died at a fearful rate. Suds from common lye-soap, used for washing purposes, have proved very beneficial in keeping hogs in a healthy condition.

The cholera has killed quite a large per cent. of the hogs in this county during the past summer and fall, and in some neighborhoods it is still prevailing.

Chicken-cholera has also extensively prevailed in this county, and has been quite fatal. The symptoms of attack are drowsiness, the gills and comb become of a purple color, and the evacuations are white and watery. The liver becomes wonderfully enlarged and of a paler color than the liver of a healthy fowl. In most instances the fowl becomes exceedingly fat. Here the disease prevails among chickens, turkeys, and guineas. The most successful treatment for the malady is mercury in some form. I have known that treatment in some instances to prove very successful. The most successful preventives are cleanliness of the hennery, the sprinkling of lime over the floor, and the washing of the walls with lime-water. They should have pure water to drink, in which copperas should occasionally be put. Wild turkeys, even when domesticated, seem exempt from the disease.

Dr. C. M. NORWOOD, Bluff City, Nevada County, Arkansas, says:

All animals, except hogs, have been remarkably healthy for several years past in this section of country. We have had a disease prevailing among swine which has proved very fatal to nineteen-twentieths of those that have been affected. The disease has been called "hog-cholera" among farmers; but from observation and some investigation I am led to conclude that cholera is a misnomer. From the most prominent symptoms I consider it to be a lung disease altogether. The symptoms are, first, great depression, followed by languor and indisposition to move about for the first four or five days. Second, a slight, dry cough, attended with intense febrile

excitement and dryness of skin. At this stage there is complete loss of appetite, and *crepitus* is audible in the thoracic region. In this form of the disease death ensues about the ninth day. *Post-mortem* investigation reveals the stomach, bowels, liver, spleen, and pancreas healthy, but the lung hepatized, the air-vesicles filled with sanguino-purulent infiltration from the cellular tissue of the lungs, revealing the fact clearly that there has been great and destructive inflammation of the lungs. We must, therefore, conclude from the symptoms and pathological anatomy revealed by this examination that it is *pneumonitis* of an acute form. We have noticed some hogs that ate heartily and appeared perfectly healthy in the evening, and the next morning were found dead. On *post-mortem* examination this class of animals revealed congestion of the lungs, extravasation of blood into the air-vesicles to so great an extent as to lessen the caliber by infiltration, producing death by asphyxia or strangulation. I consider this the most violent and pernicious form of this lung disease.

Another class of subjects are those that recover finally. I consider this to be the acute form, terminating in a typhoid form. The duration of this type of the disease is from about ninety to one hundred and fifty days. Generally, when the disease assumes the typhoid form, there is some purging from the bowels, and this symptom, I presume, has led many to give it the name of "cholera." I consider it altogether a lung disorder, as it presents itself in this locality, and a proper study of the disease would no doubt convince many that they are laboring in error in their diagnosis of this fatal and malignant malady.

As to treatment, none has ever been adopted that has proven satisfactory. A multiplicity of remedies have been used by the farmers, but all have signally failed. The only remedy I can give that I consider at all reliable is twenty grains of calomel and one and one-half grains of tartar-emetic mixed and given every other day during the febrile excitement. After the fever has subsided give nourishment freely, such as slop from the kitchen, cooked vegetables from the garden, mush (corn), &c.

As to the prophylactic treatment, I know of none. I think the poison producing the disease floats in the atmosphere, and that it is not produced from any local cause. The best preventive that presents itself to my mind is to move the herd to some thick forest as soon as the first symptoms of the disease are observed, and not allow them to run in fields or around the farm.

I hope this short and imperfectly-written note may lead some mind to a more thorough investigation of this important subject.

Mr. W. B. SHAW, Beverly, Washington County, Ohio, says:

Lambs in this locality have been scourged for several years past with a disease called "paperskin," which seems to be worse in wet than in dry seasons. It is not uncommon to lose an entire flock by the disease. It attacks the lambs at the age of from three to five months, and those in good flesh are as liable to it as those that are in poor condition. When attacked, they become very pale and weak, apparently almost entirely bloodless. The stomach contains small red worms, and frequently, in addition, the animal will be found to have tape-worm. I know of no cause or positive cure for the disease. I have tried many remedies, and have found more benefit from feeding pumpkins than from anything else.

Many sheep die with grub in the head. The symptoms are bloody, mattery discharges from the nostrils. Pine-tar placed in their salt-troughs from June until September (during the season the gad-fly deposits its eggs) will be found a preventive. A positive cure will be found in syringing the nostrils with a decoction made from tobacco.

Chicken-cholera is very common here. We know of no cause, nor have we a remedy, for the disease.

Mr. D. STICKEL, Monticello, Pratt County, Illinois, says:

There are no diseases prevalent among farm-animals in our county except among hogs, and this class of animals has suffered more severely this fall than for many years past. Many persons have lost entire herds. The various symptoms of the disease are as follows: The hair inclines to stand erect; a hacking cough; standing around with the nose to the ground; sometimes they have the thumps; frequently they bleed at the nose; some are affected in the head, the eyes matter and frequently burst: sometimes the tops of the ears get raw and are covered with clotted blood; sometimes they are purged and at other times they are constipated.

The duration of the attack varies considerably. This fall the duration of the disease seems shorter than usual, the animals generally dying within from one day to a week after the first symptoms are observed. Once in a while they will linger for weeks, and then die apparently like a person afflicted with consumption or typhoid fever. I think the fatality is nine-tenths of all attacked where no remedies are used. Quite a number of remedies have been used at different times, but with little effect. Sometimes a remedy will appear to be quite successful for a time, but will finally seem to lose its

virtue as such. This is especially the case with May-apple root. A Mr. Combs, of our place, has prepared a remedy that is being used considerably in this section of the country, and it appears to have some merit as a curative. He regards it as a certain preventive. He has now used it about seven years, and says that he has never had a case of cholera among his hogs since he has been using it as a preventive.

Mr. J. WESTLAKE, Troy, Miami County, Ohio, says:

Hog-cholera prevails to a considerable extent here and is quite fatal. The epizootic has also prevailed to some extent among the horses of this county, but has not been very fatal. Chicken-cholera prevails extensively in some neighborhoods, and is very fatal.

Mr. R. J. WILLOUGHBY, Federalsburg, Caroline County, Maryland, says:

We have a disease among fowls here which seems to affect but two classes, viz., turkeys and barn-yard fowls. The disease is generally known as cholera. It is very fatal, and kills entire flocks sometimes within the short space of twenty-four hours. It seems to strike in spots. For instance, while the flock of one farmer may be entirely decimated, that of another, who may not reside three hundred yards away, may entirely escape. We have not been able to find any remedy for the disease.

A number of horses were lost during the past summer and fall by farmers in the adjoining county of Dorchester, by a disease known as blind-staggers. A remedy for the disease was extensively used and proved quite successful. It was, to split the horse's forehead and bind horseradish in the cut. In every case where this remedy was used in the early stages of the disease the animals recovered. From sixty to eighty horses died of the disease in that county.

Mr. E. ARCHER, Lancaster, Franklin County, Ohio, says:

The only disease affecting farm-animals here is cholera among swine, and its symptoms are as varied as its treatment. The duration of the disease is from four hours to as many weeks. Nine cases out of ten prove fatal. Our experience here is that there is no remedy for the disease, but we have a pretty certain preventive, viz: Salt, copperas, and wood-ashes, in the proportion of one pint of salt, one-fourth pint of pulverized copperas, and three gallons of wood-ashes, well mixed, and placed in dry sheds, where the hogs can have access to it at all times. This is the only satisfactory preventive to my knowledge. When the disease has progressed so far as to cause the loss of appetite, I regard it as the next thing to incurable. When a hog once refuses to eat, he is dead, or might as well be.

Mr. JOHN L. S. DEBAULT, La Rose, Marshall County, Illinois, says:

In my county diseases are prevailing among hogs to a very alarming extent. Different lots seem to be differently affected. Some have symptoms of quinsy, while others seem to be afflicted with the old cholera, a disease not very prevalent this fall. However, almost every ailment among hogs is called cholera. An entirely new phase of the disease seems to be prevailing this season among my own hogs. They had the run of a very large pasture, comprising creek-bottom and upland, with an abundance of young timber. They had pure running water, a fine blue-grass pasture, an occasional feed of corn, and in addition followed a herd of corn-fed steers. I had two hundred and thirty-three head, and I thought they were the finest lot of shoats I had ever seen—healthy in every respect apparently, and thrifty. October was very warm until toward the close of the month, when we had a sudden change to severe cold weather. My hogs were at once affected. They commenced to sneeze and cough, and the pupil of the eye turned white, causing total blindness in a few hours. Death would generally ensue within from ten to twenty-four hours. Their bowels did not seem to be affected; the disease seemed to be entirely located in the head and nasal organs until within two or three hours before death, after which the whole trouble appeared to be with the lungs. I think the symptoms were those of catarrh. I tried various remedies without any good effect. Among other things I did was bleeding, but this only seemed to hasten death. I then tried turpentine, sulphur, and copperas with like ill success. Finally I sent to Grundy County for a hog-doctor, who had great success in killing all he undertook to cure. I changed the quarters of those that remained, placing them in dry hospital buildings, in small lots together, where I could give them medicines at pleasure. This did not stay the disease, as the confinement appeared to cause it to rage with greater virulence than before. I finally lost two-thirds of my herd—one hundred and fifty-five out of two hundred and thirty-three—before the disease abated. My opinion is that the disease was caused by too high a temperature of the body when the sudden change of weather took place in October, and the consequent sudden cooling of the outside surface.

Mr. JOHN FROST, Hoboken, Hudson County, New Jersey, says:

Our horses have suffered greatly by epizootic, which seems to have been chronic, for the last three years. The symptoms are as follows: The eyes become dull and heavy, the glands of the throat swollen, loss of appetite, followed by a copious discharge of mucus from the nostrils. My system of treatment was as follows: I had my stable thoroughly cleaned, and gave it several good coats of whitewash prepared from ordinary lime. I then fumigated it once a day by burning pine-tar, being very careful to close the door and keep all the smoke possible from escaping. About noon I would prepare a feed for them by scalding about three quarts of wheat-bran, and after adding about one gill of cider vinegar would feed it to them warm in a nose-bag. If they refused to eat they at least inhaled the steam from the food. This treatment seemed to bring them back to their appetites. I fed them young carrot-tops, which they devoured with avidity. At the end of four or five days with this treatment the horses were ready to go to work again. Some of my neighbors refused to follow my treatment and called in veterinary surgeons, who were in most cases from four to five weeks in getting the horses on their feet again. In a great number of cases very valuable animals were lost, while my own thrived and recovered their wonted spirits and strength in most cases in less than a week.

Horses in this district suffer greatly from inflammation of the bladder, brought on in most cases from fast driving or heavy pulling. The symptoms that have come under my notice are as follows: The horse frequently stretches and attempts to stale, but cannot. I have tried niter and gin, in fact all ordinary prescriptions given by veterinary surgeons. They failed, and I resorted to my own treatment, which is as follows: Take about twenty-five or thirty roots of parsley, stew them in about three quarts of water strain them through a collander, and give the horse as a drink one pint every half-hour. The second or third dose has never, in my experience, failed to relieve them.

Dr. FRANK PRINCE, Jonesborough, Jefferson County, Alabama, says:

There is a disease prevalent here among hogs which for years has been known as cholera, but which should more properly be termed measles. The first symptom that manifests itself, on close scrutiny, is seen in the hog walking on its toes, and not upon the entire foot. But for some time previous to this the hog has been affected, and this is the result of contraction of the intercostal and abdominal muscles. There exists a latent inflammation of the parenchyma of the lungs, and cutaneous or superficial fascia, which causes the hog to contract the muscles for relief, hence he pitches on his toes. He has been having fevers several days, as is manifest by dullness and stupidity, indisposition to play, the head bowed with the nose close to the ground, and a thin viscid mucus dropping from the mouth. Now examined, the mouth will be found inflamed, an eruption is visible in and around the throat, and the appetite is fast failing. A slight cough has set in, accompanied with occasional vomiting. The eruption soon fastens itself upon the entire alimentary tract, so that the stools soon become thin, purulent, and bloody. Great emaciation supervenes, and the hog staggers in walking. Purulent matter and blood are sometimes passed off by the animal. The hair begins to fall off as the hog becomes more and more emaciated, and a small miliary eruption is to be seen all over the skin. Without relief he will soon die. Sometimes he dies much earlier in the attack, which is caused by this purulent matter entering the blood, by which means it is conveyed to the heart and brain, and causes the animal to turn round in a circle until it drops dead. Could this eruption be thrown out at the commencement of the attack, and the hog kept for one week in a dry house where there is no dust, he would soon recuperate. But where measles is complicated with an inflammation of the bowels or lungs, with the usual exposure to which all hogs are subject, death is almost inevitable. Hogs that are taken up and put early on treatment are apt to recover, or at least the mortality is not so great.

There are almost as many ways for the treatment of this disease as there are sections of country in which it occurs. One old and successful farmer told me that he always kept slops for his hogs made of corn or meal boiled with ashes or poke-root, and that he rarely if ever lost a hog. Another stated that he used ashes, salt, copperas, and sulphur with great success. The great secret in all this treatment is the alkali that is used. When this is administered in time it acts as an alterative, controls the secretions of the mucous coat of the intestines, stimulates the absorbents, sets up a healthy action in the lymphatics, causes the skin to assume a healthy function or action, and the disease soon disappears. So you see every one has his remedy so convenient that there is no necessity of going from home to obtain it. It consists in the proper use of good wood-ashes and salt.

Mr. L. G. MAYNARD, Hampden, Geauga County, Ohio, says:

With very few exceptions no general diseases have prevailed among farm-animals in this county since the "bloody murrain" left us forty or fifty years ago. The epizootic

prevailed among our horses a few years ago, but comparatively few cases proved fatal. At that time warm stabling, light food, and exercise proved to be the most efficient remedy. For a few years past I think heaves and other lung complaints have prevailed to a greater extent than fifteen years ago. A little lobelia, say a teaspoonful, once in two or three days, together with straw and provender (oats and corn ground), seems to be the most approved remedy.

I lost a valuable mare last spring which appeared to have every symptom of pulmonary consumption. She began with a slight hacking cough, which increased steadily until April, when she died very much emaciated. No remedy seemed to even check the disease or afford temporary relief. Such cases, however, are rare.

It is very rarely that meat cattle are either affected or die of disease here. On Thursday I met with our Farmer's Club, and laid the subject of your circular before it. The testimony of those present generally corresponded with what I have above stated. A few instances were reported of cattle having what some called "dry murrain," or food drying up in the first stomach. The following remedies have been used for this trouble with success by different farmers: Linseed-oil; one pint of flax-seed boiled with three or four quarts of water; saleratus and buttermilk; spirits of turpentine.

A few flocks of sheep are affected with "foot-rot" or "hoof-ail." Remedies are used with success, which makes the damage to flocks comparatively small.

The only cases of hog-cholera I have ever heard of were three or four years ago, and occurred in a drove from the West, which were peddled out to the farmers and factories in this locality. They evidently brought the disease with them. I heard of one man who lost eleven head, and another one who lost two or three. No remedy was of any benefit. The soil and climate of this county seem adapted to the healthfulness of hogs; but too little corn is raised to make hog-raising for market profitable.

Dr. J. M. Johnson, Locksburg, Sevier County, Arkansas, says:

As a physician I have been engaged in the practice of medicine in all its branches for the last twenty years. I have also had a farm, and have given a good deal of attention to stock-raising upon a small scale. As to the names given to the diseases affecting our farm-animals, they are generally so far established that, whether suitable or not, it would be hard to change and eradicate them from the minds of the people. Horses, cattle, and sheep here, according to my observation, are comparatively healthy, although, like all mortal creatures, they are subject to disease and premature death. For an animal occasionally to become diseased, sicken, and die is something we naturally expect; but what alarms us most are the destructive epidemics which, for the past twenty years, are existing somewhere at all times, killing our useful and indispensable animals, as well as our much-relished and profitable fowls. Hogs and poultry here seem to suffer most from the ravages of disease.

Hog-cholera, meningitis or staggers, quinsy, and mange are by far the most common diseases among swine. The symptoms of cholera are: The hog is obviously sick, mopes about and lies down most of the time, occasionally vomits or tries to do so, eats but little or none at all. In a day or two it will perhaps have superadded a profuse diarrhea. If the disease runs a regular course the animal will continue to vomit and purge until the alimentary canal is emptied of all its feculent or substantial contents, followed by watery or serous and sometimes bloody operations, with cramping of the muscles and particularly of the bowels. When all the above-described symptoms are seen the complaint has reached its second stage, and is in its height or at its acme of apparent force. Here, if it does not yield to the efforts of nature with the aid of remedies, the hog will pass into the last or declining stage. If the disease yields, the animal will continue warm and all the symptoms will begin to moderate. If not, it will go into collapse, become cold, or nearly so, continue to strain and cramp and utter low grunts, and sometimes will even shriek with pain. The duration of the disease is a good deal owing to its severity. Generally it lasts from one to four days. All cases that result in death do not run the same course. Sometimes all of the above symptoms are not present. Some epidemic symptoms are milder than others, but all seem to be malignant, for nearly all the hogs die that take it if left alone. The same epidemic is not equally severe in different cases. Sometimes the attack is so violent that the animal is in the last stage from the outset, or it may die from nervous prostration with no reaction, vomiting or purging.

The diagnosis can easily be determined by the symptoms when they are all present, especially if the hogs are in living order, and the weather is warm; for, according to my observation, the disease prevails almost entirely during the summer months. Of the causes of the disease I can say but little, because they are not perfectly known; but we know that hog-cholera is epidemic, and that it is a poison, very irritating in its action upon the stomach and bowels; that it has a preference for localities, and prevails more generally upon the borders and in low bottoms than upon lands that have been previously overflowed. That it is also contagious we have some good reasons to believe. One thing I do positively know—that there are some powerful predis-

posing causes that can, I believe, be almost or entirely prevented. I will leave this point for more time and evidence, as I can only hint at the subject generally at present.

Fortunately this disease, though very fatal and destructive, often readily yields to proper treatment when administered in time. (By far the best plan is the preventive treatment, which is comparatively cheap.) The following prescription will be found valuable: One quart pure alcoholic tincture of camphor, one-fourth pound each of prepared chalk and *Hydrastis canadensis*, one pint of tincture of catechu, and one-half pint of laudanum. To administer this prescription lay the hog on its back, place a stick transversely between the jaw-teeth, and pour down one ounce of the mixture once every two or three hours. If the first and second doses do no good, it is almost needless to persevere. The mixture should be well shaken before using. There may be other indications that could be met by proper medicines, but generally if the above fails we may as well let the hogs go.

If we carefully examine a hog that has died of cholera we will find the liver and kidneys diseased. The coatings of the stomach and bowels will also be found more or less inflamed from great irritation. We may also find patches of ulceration, with worms imbedded about the kidneys and mesenteric glands. During the prevalence of epidemics some hogs may escape the disease, while others may have it in a mild form.

Some years ago I saw a preventive advertised in a Tennessee paper, which I adopted in part, as there were some incompatibles in it, and I have found it a complete preventive not only of cholera, but of all other diseases affecting swine. It acts gently and mildly on the liver and keeps it healthy; in a word, it is tonic, diuretic, alterative, and anthelmintic in its action. It is composed of the following ingredients: To one gallon of tar add four ounces of calomel, one-half pound of copperas, and one-half pound of golden seal. Stir the ingredients well, and with a wooden paddle spread it lightly upon an ear of corn, and give one ear to each hog or shoat once every three weeks. When diseases are prevailing extensively give one prepared ear every week. When hogs are hungry they will eat every grain of the corn and will usually seem to relish it.

In answer to the question as to the average fatality from diseases among swine in Arkansas, I believe over half of the number die before they are ready for slaughtering. There are a great many things recommended as preventives and remedies which I have no confidence in whatever.

Mr. J. J. Litton, Alton, Oregon County, Missouri, says:

With the exception of hogs, all classes of farm-animals in this particular locality have been extremely healthy for some years past. For six months past a disease generally known as cholera has been working sad havoc among hogs. But few large animals have died from the disease, but a great number of pigs and shoats have been lost. The first indications of the disease are seen in the animal becoming stupid, in which condition it continues until relieved by death, which occurs within from one to four days. Sometimes the throat appears to be affected, and in many instances the feet swell and burst open.

Mr. G. W. Cullison, Allerton, Wayne County, Iowa, says:

The worst disease among hogs that I have noticed within the last twelve months has the following symptoms: 1. An indisposition to eat, accompanied with drowsiness. 2. Vomiting occasionally. 3. The skin becomes cracked and sore, with increased vomiting and an indication to thump. 4. Thumping increases in severity; skin rolls in folds. 5. Diarrhea sets in, and this and thumping close the scene.

The disease seems to run in families, but is not otherwise contagious. The mortality reaches from 30 to 50 per cent. in a family. No remedy has been discovered by me, but with cleanliness and variety of food the percentage of mortality may be materially diminished.

No name has been given the disease, but many call it cholera. It assumes its worst forms during the hot months, especially if hogs are kept in dry pens with no grass and but little shade.

Mr. C. B. Combs, Lamar, Barton County, Missouri, says:

Hogs in this locality have been more seriously affected by disease than any other class of farm-stock. The disease is supposed to be cholera, and the losses have been quite numerous. All kinds of remedies have been tried, but nothing has been discovered that proves of much benefit. There have been some losses among cattle by what is called by some Texas fever and by others dry murrain. The only remedy that has proved of any value is a purgation of some kind. The animals should be taken from the range they have been accustomed to and put up in close pens and fed green food which has a tendency to keep them well scoured out.

Mr. WILLIAM JOHNSON, Saville, Crenshaw County, Alabama, says:

The first cases of hog-cholera that came to my knowledge were in East Tennessee in 1863 and next in Alabama in 1874. The disease appeared to travel south. The best remedy I ever tried was strong lye in food or the tea of poke-root mixed with corn-meal; also a mild tea made of May-apple or mandrake mixed with meal appeared to be more effectual than any other remedy tried.

Mr. JAMES WEILER, Alburtis, Lehigh County, Pennsylvania, says:

I give you the following preventive prescription for hog-cholera: Salt the hogs twice a week regularly, using a teaspoonful of pulverized copperas to every four quarts of salt; or, for 100 hogs, procure 50 bushels of clean wood-ashes and mix therewith salt and sulphur and ten pounds of pulverized mandrake-root, and scatter one-half the amount where the hogs can get at it; and at another time scatter the balance in the same way. The pulverized mandrake-root acts vigorously on the liver, and both sulphur and ashes are good remedial agents in common use. Or take two parts of sulphur, one part of antimony, one part of saltpeter, one part of copperas, and a small portion of asafetida, mix with salt and place in a trough in a dry place where the hogs can at all times have free access to it.

As a preventive for diseases of chickens use asafetida and some finely-ground black pepper. Put the same in a piece of cloth or rag, nail it in the bottom of the vessel where you water your chickens, or, if the vessel is iron or stone, lay it on the bottom and confine it there. You should not use too much at one time. One-half ounce every two weeks will answer for fifty or sixty chickens.

Mr. EVAN GOOD, New Vienna, Highland County, Ohio, says:

Hog-cholera, so called, is and has been for three years alarmingly prevalent in this and adjoining counties. Last year the disease was terribly fatal, probably from 60 to 70 per cent. of those attacked dying. This year the fatality has not been nearly so great, simply for want of material, farmers in nearly every instance having sought and found a market on its first appearance in their herds. An exception should be made of those cases where the whole herd was attacked at or nearly at the same time.

You ask for a complete diagnosis of the disease. That would be a task to appal the stoutest. Probably no two men could give the same report. Scarcely two animals on the same farm are held in the same way. Pigs from six to ten months old die faster than those of twelve months and upward. Many more die after the fattening season commences in the fall than at any other time. Hogs having a wide range of woods pasture are less liable to infection and more likely to recover when attacked than those confined in pens or small lots, notwithstanding the danger of contamination would seem to be greater.

Here are a few of the symptoms as I have seen them and as they have been reported to me by neighbors: Fever in nearly all cases; a dry cough is often a premonitory symptom; vomiting; purging; bleeding at the nose; bleeding through the pores, particularly about the head; paralysis of the hinder parts; giving way of the fore legs; dropping off of the ears and tail; constipation. One man who saved eleven head out of one hundred and four this fall says that the lungs, or the portion next the heart, was always diseased, while a membrane which surrounds the heart was filled with water. Sometimes, while eating, a hog will give a squeal of agony, jump a foot or two from the ground, and fall dead. No cure has been found. Turpentine and capsicum are the only preventives I know of that are worthy the name. They will not always prevent, but they have the effect to brace the system for the attack. It is the opinion here that those who have seen the most of the disease know the least about it. Those who have not seen it have at least a theory. Those who have suffered by it come out of the siege with their theories crushed. It is the most confounding and bewildering disease that can be imagined; it will not be investigated. Let the department dig this thing up and it will have the everlasting thanks of this plague-ridden section. But do not let the investigator enter the field with a theory or he will be disgusted at the outset. Let him follow facts and base his theory thereon.

Mr. GEORGE T. MCWHORTER, Chickasaw, Colbert County, Alabama, says:

I send you, in alcohol, by to-day's mail a number of worms taken from the lungs and intestines of hogs that died during the epidemic last summer. This disease was called cholera by farmers in this vicinity—a term, by the way, which is here used to cover "all the ills that hogs are heir to." These worms are from two different hogs, several miles apart, and show the identity of the trouble. The small worms are from the ali-

mentary canal; the larger ones mostly from the lungs, although nearly all the tissues were to some extent infested with them. I found the bowels constipated, notwithstanding the name applied to the disease, and filled with impacted fæces. Mixed with the fecal matter and adhering to the walls of the canal were myriads of the small worms. I saw no large worms in the bowels. There were numbers of small inflamed points along the inner surface of the bowels, but no large patches of inflammation. Perforations were perhaps made at these points.

The hogs had been troubled with persistent cough, which led me to examine the lungs carefully. Here were found great patches of inflammation, and the larger worms were very numerous. The lung tissue in places was entirely broken down and the sounder portions riddled with worms. Next to the lungs and bowels the liver suffered most. The worms here were also larger than those in the bowels, from which I infer that the worm, after being hatched in the bowel, perforates it and penetrates the other tissues. Some fattening hogs recently killed show worms in the liver; but as the hogs seemed tolerably healthy, with sound lungs, I doubt their identity with the ones sent you.

From what I have seen of the disease I make the following deductions:

1. The worms are hatched in the bowels.
2. They must be destroyed before they leave the bowels.
3. When the lung is perforated treatment is unavailing.
4. Almost all cases let alone prove fatal.

Treatment should be founded on these principles. I recommended calomel and arsenic to a number of farmers. Many hogs just taken recovered under this treatment, but nearly all the old cases died.

Mr. SAMUEL BARR, Amanda, Fairfield County, Ohio, says:

There have been no contagious diseases prevailing among farm-animals in this neighborhood except a disease known as cholera among hogs. It has been very fatal in this vicinity, and several hundred hogs have recently died from its attacks. The disease does not attack all alike. Some commence by bleeding at the nose, others by vomiting and purging. Still others will quit eating, lie around a few days, and then die. Some will eat with apparent good appetite and in an hour will be dead; some will linger two weeks and then die. About 5 per cent. of those attacked recover. No reliable remedy has as yet been discovered. What seems to benefit one herd has no effect on another. It is believed by many stock-raisers, however, that the disease can in a great measure be prevented by using such remedies as are within the reach of all. Give your hogs comfortable quarters and plenty of good water. Salt them every week, and mix with the salt wood-ashes and sulphur; have stone-coal for them to run to, and feed regularly. Those who have practiced this treatment have saved their hogs.

Mr. J. K. PRUDEN, Sidney, Shelby County, Ohio, says:

I have had a great many hogs to die of a disease called cholera. When it first made its appearance on our farm it was very fatal. The animals were handled in various ways. Some would vomit, some would purge, some would do both, and some would do neither. The few that recovered would break out all over and lose their hair, and in some cases the hide with it. In some instances the flesh would slough off in large lumps. A few of such cases recovered and afterward made fine hogs. I think the disease is a brain disorder and an affection of the lungs, for the hogs have a cough, and the vomiting and purging are no doubt the result of deathly sickness.

I have tried every remedy I could hear of without any success. What would seem to benefit one hog would do no good in other cases. The best thing I have found is sulphur and asafetida; they, however, seldom cure the disease, but they are good as preventives.

For two years cholera prevailed extensively in our flock of chickens, and we lost a great many. Finally, we cleaned and limed their roosts, put in plenty of ashes for them to wallow in, and gave them milk to drink, since which time we have lost none.

There is a disease among sheep here called "sore mouth," which, if let alone, proves very fatal. A preparation made of vitriol and chlorate of lime, and used as a wash for the mouth, will be found a sure cure. I have seen cases of the foot-rot and scab, and I believe the disease the result of too close shedding. I generally keep from one to five hundred head of sheep on my farm, but I am not troubled with this disease. I have sheds for my sheep, but I do not confine them.

Mr. A. H. WRENN, Mount Gilead, Morrow County, Ohio, says:

There has been a slight return of the epizootic among horses this fall, accompanied with a slight cough and a little discharge from the nose. But little medicine was

given. Bran mashes and other laxatives to keep the bowels open, with a little extra care, have restored them to ordinary health.

Sheep are affected with foot-rot, scab, and what is known as grub in the head. A good many remedies are used, sometimes with success and again without any apparent effect.

We sometimes hear of a few cases of thumps and cough among hogs, and now and then a case of blind staggers, but few deaths are reported. Charcoal, ashes, salt, and even soft-soap, are used as remedies, especially when cholera prevails among hogs.

Thousands of chickens die annually from diseases incident to fowls. Many families lose large flocks entire. Wild-cherry and white-oak bark, dog fennel, and red and black pepper are used as preventives and remedies. The most successful treatment of late is a small quantity of assafetida in water, blue mass in very small pills, and a little blue ointment on the head.

Mr. JAMES M. BURT, West La Fayette, Coshocton County, Ohio, says:

I can say that, during a residence of near half a century as a farmer in this county, with few exceptions the cause of disease among and loss of farm-animals has been the result of neglect and improper treatment. Notwithstanding the best of treatment, however, the epizootic prevailed for a time among horses; and what is known here as "colt distemper" frequently prevails, which, if not properly treated, terminates in glanders, an incurable disease. My treatment, which proved effectual, was saltpeter dissolved in hot water, mixed with wheat-bran mash and fed warm with oats or chop feed—one ounce per dose every third day.

No contagious or fatal disease has prevailed among cattle in this vicinity. Feeding at regular hours in winter, with free access to water and salt at all seasons, has been my system, and I have lost none from disease.

Grub in the head has prevailed among sheep. The disease is incurable, but it may be effectually prevented by giving them salt mixed with dry wheat bran as often as once a week during the summer and fall months, when the fly abounds which causes the disease. The same treatment will prevent the disease commonly called "rot," or cure a cold contracted by exposure or sudden changes of the weather. I am not familiar with the foot-rot or scab, as it has not appeared in this vicinity.

The cholera, kidney-worm, and other diseases that hogs are liable to in some localities are effectually prevented by giving them free access to the slack or waste from our bituminous-coal mines, which abound in this vicinity. Copperas and sulphur are its component parts. I have never lost a hog from disease.

In-and-in breeding is believed to be the cause of all the diseases that fowls are liable to. Since we have annually marketed or exchanged all our own raising of males and kept our hennery cleanly whitewashed and the floors covered with lime, we have lost no chicks or grown fowls from cholera or any other disease.

Mr. J. S. ELDER, Darlington, Beaver County, Pennsylvania, says:

Sheep are the only class of farm-animals subject to any specific disease, and the most troublesome one is that known as "pales." The remedies are turpentine and copperas mixed with salt and placed in boxes in their feeding places. But I find they never recover their former health. They dwindle away for a year or two and then die. I find it almost useless to try to save them. Foot-rot also prevails to some extent among sheep. About the only remedy used is sulphate of copper.

Two horses died in this neighborhood a few days ago. They were sick but a few hours, and during this time walked around with their heads down and ears drooped until they fell down dead. We have no veterinary surgeon in this vicinity, and therefore I can furnish you with no diagnosis of the disease.

A great many cows annually die here with puerperal fever. There seems to be no remedy for the disorder.

Mr. RICHARD WRAY, Richmond, McHenry County, Illinois, says:

I have been breeding stock in a small way for forty years, and during that period have had diseases among my hogs three or four times, but fortunately they did not do much damage. Four years ago my hogs showed symptoms of disease. When first discovered two of them could not walk. The place where they slept I found to be damp and wet. Several of the animals were stiff in their joints, and in addition were coughing. I bled the two that were the most seriously affected, in the mouth, and put them in a hole in the horse-manure pile. I covered them all over, with the exception of the nose, with the hottest manure in the heap and then poured two bucketfuls of cold water over them. This was in the morning, and I left them there to steam until night. I then took them out and they appeared to be well. I had to leave home that day, and was absent for several days thereafter. I ordered my men to do the same thing with

other hogs that might be similarly attacked. The next day two other hogs w taken sick in the same way, but instead of putting them in a hot place in the mann they put them where the temperature was very low, and the result was that they b died. By separating them into small lots and giving them dry beds to sleep in we no more.

I have had sucking pigs affected with fever, hard breathing, and costiveness, for removal of which difficulty I have used a syringe with some success. The second s of this disease is hemorrhage of the bowels, of which the pigs die. The principal ca of the disease, I think, is the lack of dry, warm beds, and the sleeping of too m together.

Several farmers near me have sustained severe losses among their hogs this y One of them told me that spirits of turpentine had been of more benefit to his anim than anything he had tried.

Chicken-cholera has prevailed to a considerable extent. In many cases the dis has proved very destructive. It commenced in my flock by attacking two turk which I had bought. I discovered it by a peculiar chirping noise which they m On examining their mouths and throats I found them almost closed with a fung growth. This I scraped off, and then applied quick-lime liberally. Two applicat of this entirely cured them. I also sprinkled lime plentifully about the roosts w the fowls could get it easily.

Among young cattle we frequently have black-leg, and milk-fever sometimes prev among cows. Abortion among cows also frequently occurs and often proves fatal

Mr. Orlando Wilcox, Hinckley, Medina County, Ohio, says:

Some time last summer Mr. Whipp, of this county, went to East Saint Louis bought ninety head of what are called Cherokee cattle, but their long horns, long and gaunt bodies indicated plainly that they were of Texas origin. He brought to Berea by rail, drove them home, and put them on to what is known as the W farm. Some time in the early part of September his native cattle began to die kept dying until he lost about thirty head. I ought to have said before that Cherokee cattle were very unruly and went almost anywhere they desired. jumped into most of the neighboring farms, but were driven out as soon as discov Among other farms they trespassed upon was that of Lewis Conant, where they not discovered until they had lain down to rest. Soon after three of Mr. Conant's sickened and died. Upon close investigation it was discovered that these Che cattle were infested with wood-ticks, which it was supposed they brought with t as ticks are scarce in this country. The theory of the farmers in this township is the Cherokee cattle communicated the ticks to the native stock. Our native c not being used to them, had their blood poisoned, while the others, being used to all their lives, were not affected. People going from a healthy country into a mala district will have the fever and ague and other bilious complaints, while the na who have always lived in that locality are but seldom attacked.

The cause of the Texas fever was much discussed in our local papers. Many tended that it was caused by saliva left on the grass by the Texas cattle; others it was caused exclusively by the ticks brought by the Texas cattle. It is certain Whipp's cattle were badly infested with ticks, as a large number were collected sent to the editor of the Medina Gazette. This was also indicated by the rem used, linseed and kerosene oil. Where this was used in season a cure was eff This Texas fever is the only disease that I know of that has been epidemic amon tle here. Sporadic cases of various diseases have appeared now and then, but w pretty well versed in such diseases and know what remedies to use.

Mr. Fred. P. Newkirk, Oxford, Chenango County, New York, s

In reply to your inquiries, I would say that abortion in cows and black-leg in c are the principal diseases in this vicinity. Not keeping cows, I can give you little information in regard to abortion. Keeping about one hundred calves, I think well posted in regard to black-leg. A calf attacked with it will be stiff in the h its eyes will sink in the head and it will lose its appetite. The duration of the a is from two to twenty-four hours. Sometimes they will live two days. I have heard of one recovering. After the discovery of an attack of black-leg the ani as good as dead. If bled no blood will flow. The disease usually settles in the hips, or shoulders. The exact locality can be ascertained by rapping on the a with the ends of the fingers, and when the affected parts are reached the sound w like that produced by rapping on blubber, and, in fact, when cut open the part an will be found black and blubbery. I have cut a slit four inches long in a she without a sign of distress, the part affected being entirely dead.

In those that I have dissected the internal organs were found perfect, but the and veins were full of coagulated blood as black as tar. The fact that little or no

can be drawn from the large vein in the neck of the calf attacked is to me conclusive evidence that the disease is one of the blood.

I think bleeding is a preventive; at any rate, I lost three with the disease in as many consecutive days, and I immediately bled the balance in the neck, taking about a quart of blood from each, and have not lost a calf since. A neighbor of mine, keeping twenty-three calves, lost six during the fall months with the disease. He bled the balance and lost no more. The calves are usually attacked after being turned on "after-feed," and should be bled before, and again in October.

Mr. T. S. GILLILAND, Van Wert, Juniata County, Pennsylvania, says:

Hogs are suffering here from what is known as hog-cholera. They are mostly taken with a cough, and some die in a few hours, while others linger for three or four days, sometimes for a week or two. When opened the lungs seem to be very much affected and have a very offensive smell. Some persons claim that they can detect this smell while the hogs are yet alive. They seldom recover. Some apparently get well and gain in flesh, and then die. One man brought me a portion of the fatty part of a hog that he said had had the cholera and recovered, and had fattened as well as the rest of his hogs; but the meat was a bright yellow. I thought likely this discoloration was caused by an obstruction of the gall-duct, so that the gall had disseminated itself like in jaundice in persons.

The cholera seems to be epidemic in its nature, taking off nearly all the hogs in a neighborhood, while other neighborhoods may entirely escape. Changing hogs from one place to another seems to be beneficial. One man had his hogs in pens, and after losing between forty and fifty turned them in a woods lot, after which he lost no more. He thought he had discovered the cause. Another farmer had his in a large field, and after losing about thirty he put the remainder in pens, and they did well. He thought he had found the cause and a remedy. Some of our physicians claim that the disease is lung-fever, while others think the affection of the lungs is not the first cause.

Chickens also have the cholera. They seem to have a diarrhea. Some will linger for three or four days, while others, which seem to be in apparent good health in the evening will be found dead under their roost in the morning. Cleanliness of coops and roosting-places seems to have a good effect, but is not a sure preventive. Some persons claim that the disease is caused by chickens becoming lousy and eating the lice. It is claimed that common black pepper and capsicum administered in sour milk is both a preventive and cure.

Dr. C. H. E. SHUTTEE, West Plains, Howell County, Missouri, says:

A few hogs have died in this county of a disease called cholera. I do not think the disease was cholera; it seemed to be more of an affection and inflammation of the lungs than anything else. I do not know of any remedies that were used, as the disease prevailed to so limited an extent as to attract but little attention. There are no diseases among other classes of farm-animals in this county.

Mr. JOHN HORNBACK, Carthage, Jasper County, Missouri, says:

We have had no prevalent diseases among horses since the epizootic, four years ago, except the common horse or colt distemper, which seldom is treated with medicine or proves fatal.

There is and has been a fatal disease prevailing among the cattle of the county. It is known as Texas or Spanish fever, and is very fatal. During the past summer, wherever Texas or Southern cattle were herded nearly all the home or native stock of cattle died off. In some neighborhoods and settlements there are scarcely any cattle left. When first taken they appear to droop around for a day or two, looking very gaunt and hollow. They also have a hot fever, with little or no appetite. About the third day they appear to fail very rapidly, and in many cases do not live beyond the fourth day, and rarely if ever longer than the sixth. If examined after death the stomach or manifold, and the food contained therein, will be found as dry as dry light wheat bread, and the folds of the stomach will be about as tender as wet brown paper. There are many reported remedies for the disease. I have tried a great many of them myself, but have never succeeded in curing a single animal. I think the only preventive or remedy is to keep the Texas cattle away from our native stock. Our cattle never have the disease unless they run with or are grazed on the same pasture with Texas cattle.

For the past two years we have suffered to some extent with diseases among hogs. The disease is called cholera by many persons, but instead of but one I think there are many diseases. During last summer and fall a great many pigs and shoats died. Some would die in a very few days after being taken sick, while others would linger along and live for nearly a month. It is my opinion that most of the pigs and shoats that

were lost died from the effects of worms. Soon after death a great many small worms would crawl out of the nose and mouth, and when cut open and examined the stomach and lungs would be found infested with large numbers of small, white, wiry-looking worms. I am of the opinion that some of the larger hogs died of the genuine hog-cholera, but I have heard of no certain remedy for it.

Nearly every summer a disease prevails among fowls in this county. I think the disease is what is generally known as chicken-cholera. We have no certain remedy for it.

Mr. HENRY WAYMIRE, Little York, Montgomery County, Ohio, says:

We have had no epidemic among horses since the prevalence of the epizootic some years ago. I hear of no diseases among cattle and sheep, and presume both classes are unusually healthy. There has not been so much cholera among hogs this year as formerly. There have been but very few cases in my neighborhood. Wood-ashes, fed in slops, are used as a preventive. Turnips are said to be not only a preventive but also a cure. We lose a number of fowls every year from a disease known as cholera. Coal-oil mixed in their feed has proved quite a good remedy.

Mr. T. J. CONOVER, Monroe, Butler County, Ohio, says:

I have had considerable experience with diseases incident to hogs, and ever since cholera has been in our land I have been endeavoring to find a cure for it. I have tried many preventives and cures recommended by journals, &c., but found none of them to be certain remedies. For the last two or three years I have proven by my own experiments that the process of changing from field to orchard, meadow, woods-pasture, roadside, or any new place will be attended with favorable results. At the first appearance of the disease I begin this changing process. I watch the hogs and wherever they come back and lie around the place of entrance I give them a new place, and continue to do so through the day as often as I think necessary. I feed them no grain but give them all the slops from the house. My theory is that the well ones will survive the new place and the diseased ones will follow them around. This exercise induces circulation and warms up the system. What grass and herbs they get will be found good for them. Now for the proof: In July, 1876, I had some ninety pigs, and out of this number saved seventy-five, which remained in good condition until proper age for market. One of my neighbors, who had 120 head, saved but four. Two others, who had over 1 each, saved but eight, and so on through a long list. My neighbors were trying different experiments with various kinds of medicines, while I was practicing the changing process. Thousands of dollars have been fruitlessly expended in the use of medicine from which no benefit whatever was derived.

Last May my pigs were affected with cankered sore mouths and noses. Their mothers were so sore they could not nurse, and they were in an almost starving condition. I took them from their mothers, put them in a clean, dry pen, with good bedding, cleaned their sores, and applied grease to keep the scabs soft. I then fed them on fresh milk with a little water in it, and they soon recovered. Pigs, if taken in time and treated in this manner, will generally recover. As to the cause of this disease, I have no knowledge.

Mr. JEREMIAH CHADWICK, Smethport, McKean County, Pennsylvania, says:

There are no diseses prevailing at present among farm-animals or fowls in this county. A few, and but very few, horses have died in the oil localities of epizootic. I lost four head of young cattle with black-leg, and have heard of two or three other cases. The disease and its causes and remedies are so well known that I will attempt to throw any new light on the subject.

Mr. JOHN N. GEARHEART, Troy, Miami County, Ohio, says:

A disease is prevailing among hogs in this county which is commonly called cholera, but it appears to be more like a lung disease. They have widely different symptoms. Some cough, some have high fever, some are lame, some bleed at the nose, some are very thirsty, and all seem to lose their appetites. Soda, soft-soap, wood-ashes, cracklings have invariably proved good remedies for my hogs. I lost two or three hundred dollars' worth of swine before resorting to these remedies, but since using the hogs, commenced have lost none. A farmer near me, who had lost quite a number of hogs, and has since to give one pound of soda in slops to 50 head of hogs twice a week, none.

Mr. JOHN GORDON, Lynnville, Morgan County, Illinois, says:

With the exception of a disease among fowls, and the so-called cholera among hogs, our stock is and has been reasonably healthy. But our farmers are annually great losers by the ravages of the disease called cholera among hogs. The loss in Morgan County is estimated at twenty-five thousand head annually, worth, on an average, $10 per head, aggregating $250,000 per annum—a loss largely greater than our farmers can well bear. There is every reason why Congress should make an appropriation to enable your department to investigate the cause of the disease and the remedies necessary to cure it. I am satisfied that if a like disease prevailed among the food-producing animals of Europe, millions of dollars would be expended in efforts to discover the cause and remedies to prevent and cure the disease. It is too expensive and extensive for individual enterprise. While we have had the disease on our farm five different times in the last fifteen years, I am as ignorant as to its cause and the necessary remedies as when it first came. It seems to come at all seasons of the year, and the hogs are generally operated on differently. Many remedies have been tried on our farm, but as yet without beneficial results. The causes are so obscure, and the treatment is, as far as I know, so unsatisfactory that it is difficult to give anything like a clear statement on the subject. I am of the opinion that a commission composed of scientific men, employed indefinitely, would in time discover the cause and with it the necessary preventives and remedies. I hope that you will at an early day call the attention of Congress to the importance of the subject, and that it will make an appropriation sufficiently large to investigate the whole matter thoroughly.

Mr. J. E. KARR, Big Flats, Chemung County, New York, says:

About the 1st of October last I bought a lot of cattle in the Buffalo cattle market, said to have been raised and fed in the State of Wisconsin, and on the 10th of the same month nine of those cattle were sick and one had died. I sent for Professor Law, veterinary surgeon of Cornell University, and after examination he said they had the Texas fever. I commenced using his prescription to prevent the disease from spreading and to save the sick ones. Out of nine attacked I lost five head. On the 19th of November I bought another car-load of cattle, said to have been raised in the States of Ohio and Michigan. About two days ago the same disease made its appearance among them, and how many of them I shall lose time will tell. Now, what I wish to say unto you is this, as you are at the head of the Department of Agriculture you might lay such facts as these before Congress, and ask it to enact some law to prevent the spread of the disease by prohibiting the transportation of Texas cattle to the East. These cattle are brought to the markets of Chicago, Detroit, Buffalo, and indeed all the great cattle markets of the country, where they are fed and watered, and the next day cattle from other States, or native cattle, as they are called, are brought in, and, eating the hay the Texans left, get the disease and spread it all over the country. No one is responsible. Farmers who go to the markets to buy cattle are not to blame, as they do not know what yards sick Texans have been in, and dealers do not care as long as they can sell and get their commissions. I do hope you will try to get Congress to do something toward prohibiting the shipping of diseased Texas cattle through the country.

Mr. A. COFFMAN, Reynolds, Rock Island County, Illinois, says:

At present the only prevalent disease among farm-animals here is cholera among hogs, and of this there are so many different forms, that it is difficult to give a diagnosis of it. It not only occurs in widely-different forms, but also under circumstances and conditions as varied and as widely different. Hence no theory has yet been advanced here but that some well-known facts occur which knock the theory "higher than a kite."

The form of the disease which prevails here to the greatest extent, and which causes the greatest loss to hog-raisers, is what is termed pig or shoat cholera. I should say that it resembles a low form of typhoid pneumonia, generally attended with a violent cough, sometimes with vomiting and purging, frequently with sore head and eyes—the eyes sometimes bursting entirely out of the sockets. They sometimes live for weeks, all the time wasting away, and occasionally die within a few hours. This form seldom attacks hogs a year or more old. The more violent forms vary so much, that I will not attempt a description. As to the remedies, they are as varied as the notions of the owners can make them. Everything that is heard of or can be thought of as likely to be of benefit is tried, but as often fails. My own experience is (and I have had considerable of it) that medicine is of little use. I had it among my shoats last winter, had previously used nothing to prevent it except a little concentrated lye occasionally (if that be a preventive), and used nothing while it lasted in the way of medicine. I changed their rests every other day, and had them driven co-

siderably every day. Under this treatment I lost but few, and escaped better tha my neighbors. Still I do not advance this as a sure means of cure. I have more ha in it, however, than in all the drugs of the apothecary combined. Others have tr the same treatment to some advantage. The disease is very destructive here ag this winter. I sincerely hope, with the combined efforts of yourself and the st raisers of the country, that some preventive may be found for this scourge.

MITCHELL BROTHERS, Hannibal Centre, Oswego County, New Yo say:

There has been quite a heavy loss here incurred from a disease among hogs. have no name for the disease, as there seems to be no definite knowledge concern it. Some people call it "black teeth." The first symptom noticeable is lameness their hind feet. This continues until they lose the use of their hind legs entirely, at which they soon die. They have but little or no appetite after they are taken s There have been a great many hogs lost by the disease in this neighborhood during past eighteen months. We lost five head ourselves last season. We sincerely h some remedy may soon be found.

Mr. T. P. HAMILTON, Hartford, Fulton County, Arkansas, says:

During the past season we have suffered the greatest loss ever known among h in this county. In March last the disease appeared among the pigs and shoats in rat a mild form of thumps. The losses were not very great. In the month of August cholera made its appearence, and proved very fatal. The greatest fatality was am young hogs. The first symptom of the disease was extreme sluggishness. This generally soon followed by rapid breathing, sometimes by purging, and at other blindness. Sometimes they survive for days and at others die quite suddenly. not unusual for the flies to blow them before death. The loss has been fully 50 cent. of those attacked, and of this number at least 10 per cent. have been large h We have no remedy for the disease.

Mr. SAMUEL WIEDMIRE, Grampian Hills, Clearfield County, Penn vania, says:

I have lately been informed of the prevalence of disease among fowls in some lo ities of this county, but do not know the nature of it, nor any of the remedies or ventives made use of. When disease makes its appearance among swine, the princ remedies are charcoal and sulphur. As far as I have been informed, most dis among this class of farm-stock yield to this kind of treatment. Some years ago I a few hogs myself, but I believe the trouble was caused by keeping them too long a plank floor during the winter season and feeding them principally on hard corn find they always do better where they have pens so constructed that they can hav good-sized yard in which to exercise.

Mr. C. GINGRICH, Reisterstown, Baltimore County, Maryland, says

A disease has been prevailing among cattle in the vicinity of Baltimore for the p twelve or fourteen years, and in many cases has proved fatal. As most of the ca in this district are milch-cows, the disease prevails most extensively among them. is commonly called lung-fever, but as it is identical with pleuro-pneumonia, it sh perhaps more properly be called that. It has thus far baffled all medical skill. seems more malignant where a large number of cows are confined in filthy stables know of several dairymen who were compelled to suspend their business on acc of heavy losses by the disease. Renovating the stalls, whitewashing, using carb acid, carbonate of lime, and smoking the stables with tar, &c., have had the effe check the disease for a time, but it is liable to break out again. The symptoms a cessation of the milk secretion, loss of appetite, and stupor, accompanied with q pulse and high fever, and secretions from the nose and mouth. Some animals die wi a few days, while others linger for some time. Fresh cows are more liable to att than dry ones. Nearly every case proves fatal. The disease is undoubtedly typho in its character. Some years ago a bill was introduced in the legislature provid for an investigation of the disease, but it failed to pass.

There is no class of animals among which such heavy losses occur as among swi There is certainly something wrong in the rearing and management of hogs, as losses sustained amount to millions of dollars annually. I am of the opinion that cruel system as now and for many years practiced has a great deal to do in indu disease among this class of animals. The hog is an animal that cannot endure s hardships as horses and cattle. In the Western and Southern States swine dise

prevail to an alarming extent. In these States a most cruel and injudicious system is practiced in the rearing of the animals. Raised without shelter either from the burning sun of summer or the cold storms of winter, it should not be wondered at that they contract disease and die by the hundreds and the thousands. Young shoats should not be fed entirely on corn, as this feed produces an abnormal growth which results in a weakened vitality, and generally ends in cholera or some other disease incident to these animals. In the Eastern States and other localities where the hog is raised under a better and more careful system, cholera and other diseases are not known. I believe if a better system were adopted that cholera and many other diseases to which the hog is now liable would be almost entirely banished. We have sustained heavy losses in this county, and must continue to do so until a change is made for the better in the treatment of swine. So long as hogs are confined in dirty, filthy, muddy pens, and fed on nothing but dry, hard corn, we must expect them to sicken and die. The cholera, so called, is also typhoidal in character, and this opens up a wide field for investigation.

A disease prevails among the poultry of our county which has been very destructive. Some farmers have lost their entire flocks. No remedy has been discovered. Preventives are used with some success. The poultry-house should be large and well ventilated and whitewashed frequently. The droppings should be removed every few days, and near the door, exposed to the rain, should be placed a good quantity of lime. They are fond of this and will eat it every day.

Mr. JACOB GRUNDY, Lewisburg, Union County, Pennsylvania, says:

Hog-cholera prevailed to a limited extent here last year, but I have heard of none the past season. Fowls are affected almost every year with various diseases, such as roup and cholera, but I think the latter should more properly be called dysentery. The losses are never very heavy. I have found wood-ashes and charcoal a good preventive for cholera among hogs. There is no prevailing disease among either horses, cattle, or sheep.

Mr. B. LE SUEUR, Knoxville, Crawford County, Georgia, says:

We estimate that nearly or quite one-half our pigs die. In portions of this county some farmers have lost one-half, some three-fourths, and a few their entire stock of hogs, and many of them were in good condition for slaughtering. The truth is, many of our people think it too small a business to doctor a hog; and the remark is often heard: "There is no use in doctoring." They seem disheartened from the start. Others change the remedy so often that the medicine kills the animals. As in the West, every disease that is fatal to swine exists here. Many hogs have died without either purging or constipation, and yet the disease was called cholera. One farmer tells me that the livers and kidneys of his hogs were found almost rotten; that the skin was covered with spots as red as blood, and yet they died of cholera. Any information that your department can furnish to stay these fatal diseases among hogs will be highly appreciated by the people here.

Mr. DAVID BRUMBAUGH, Hagerstown, Washington County, Maryland, says:

The greatest fatality that prevails among the farm-animals of this county is among hogs. The disease is what is generally termed cholera. No remedy has as yet been found. The animals affected continue to droop from one to two weeks before death ensues. If the department should succeed in finding a remedy for this wide-spread and fatal disease the whole country will be greatly benefited. Congress could not do a wiser thing than to make a liberal appropriation for its investigation. I had no idea of the extent of the losses in this county until I commenced inquiries in order to answer your letter intelligently. The disease is often confined to the "pen-hogs," during the fattening season.

Mr. C. C. THOMAS, Point Pleasant, New Madrid County, Missouri, says:

So far as my observation goes, the most prevailing disease among hogs is just the opposite to what I understand cholera to be. Their bowels are badly bound up, and in what few I have opened, I found the excrement in hard, dry lumps, and the entrails badly inflamed, with bloody water both in and on the outside of them. Nearly every one so affected that I turned on green clover got well, but when they are attacked in this way while on green clover about one-fourth of them will die. I have had a few that had sores on their faces, but a few applications of carbolic acid, with a little in their food, generally cured them; at least they got well.

Chickens, turkeys, and Guinea-fowls are affected and die in the same way. T mope about and eat but very little; their bowels are very loose, and the dischar often watery and very offensive. They live from seven to eight days after the ra sets in. So far I have been able to find no remedy. I think at least nine-tenth those attacked die.

Mr. SAMUEL LEA, Leasburg, Crawford County, Missouri, says:

In October, 1876, my swine commenced to get sick, and twelve of them died. T were not all affected alike. All of them, however, commenced by appearing dull sluggish, refusing food, and moping around. Some had a cough and difficult breathing, accompanied by a very feverish condition generally. Still others ha diarrhea, and their evacuations were very black and offensive to the smell. Bu of those attacked got well. I found her hungry, and gave her about thirty grain calomel in wet corn-meal, which she ate. I have no idea as to how the sickness or nates. My hogs were thoroughbred Berkshires, and did not come in contact with oth animals, and their feed and water were good. No water on my place flows on to from other lands. I fed wheat middlings, and they had the run of a clover pas orchard, and unbroken woodland. It is now over twelve months since I lost a pig. have given the same feed and treatment as last year, and have several of the sa animals I had then.

Mr. WILLIAM A. BULL, Frohna, Perry County, Missouri, says:

We have a disease prevailing among our hogs which I will try to describe. In Ju last it made its appearance about six miles northeast of me; it is within one mile me now. The hogs are still dying with the malady. The duration of attack is also two weeks for grown hogs, but for small pigs about two days. The average fat is ninth-tenths. When first attacked the hogs get lame, apparently as in cases rheumatism, have a dry, hacking cough, are costive, and have excessive thirst. Som have small sores on their legs and ears; some are partially and some totally blind. I the last stages of the disease they are purged severely. Among the remedies used will mention calomel, turpentine, sulphur, copperas, tar, poke-root, and many other but all without success. I have not had an opportunity of examining any of th hogs after death. They have been differently situated when attacked—in stubble clover, and woods pastures, and some in pens.

Mr. MARTIN J. SACKETT, Houseville, Lewis County, New York, says:

This is a dairy county, and there is no prevalent disease except among cows. W have lost heavily from garget in the udder of cows. Poke-root sometimes helps it but not often. Lumps very frequently come also in the teats of cows—a sort of step page—which has been a source of great loss to us. We know of no remedy.

We have suffered also from abortion among cows to the extent, in some instances of one-half the herd. It has not been so prevalent, however, the past three years a it was previous to that time.

Dr. JOHN M. MCGEHEE, Milton, Santa Rosa County, Florida, says:

I know of no diseases affecting horses in this section which do not prevail in other localities generally, and I will only mention some remedies which are new, so far as I know, and some circumstances connected with those diseases not generally noticed. The greatest fatality seems to result from colic, and a new remedy, which has been used in this section of the South when all other remedies have failed, has been to perforate the walls of the abdominal cavity at a point just half way between the prominence made by the hip-bone and the ribs. This remedy, however, has been recommended by some modern works on farriery. While on this subject I will here mention that before the war, on some large cotton plantations, I noticed that nearly all of the mules and horses which died of colic died on Monday, a very few on Tuesday, and a still less number on other days of the week. These facts I think point clearly to a cause and a remedy. The animals being worked all the week in warm weather, their exercise brings about a certain degree of digestion and appetite. For lack of exercise on Sunday their digestion is weakened, and in most instances colic is the result on Monday. It is plain that the remedy for this is to reduce the feed on Saturday night and Sunday.

The next most fatal and common disease affecting horses in this section is that known here as "blind-staggers." It is first discovered by some foolish or unaccountable act of the animal, and as it advances the intelligence and control of the muscular functions become more clearly affected, until the animal seems to be frenzied. Death generally ensues from within twenty-four to sixty hours. Examination of the brain shows

xtensive inflammation and serous effusion. The only remedies in this disease in popular se, which are relied on, seem to be herculean and to some extent empirical. The first emedy which I will mention is to bleed profusely on the discovery of the first symptoms of the disease, and then give a dose of spirits of camphor, spirits of turpentine, nd tincture of asafetida, and whisky. All of this seems very contradictory, but it s confidently relied on by many who have witnessed its effects. I saw it tried once n an advanced stage of the disease—too late for any remedy to do any good—but in wo or three minutes perspiration poured out from every pore. I think if there is any ood in this dose it is owing to the almost caustic and destructive effect of turpentine n the flesh of the brute creation. I know that bleeding alone will not arrest the disease. The other remedy is to take two switches, sharpen and introduce them through he nostrils in the region of the brain, then give them a thrust and pull them out, hen the blood is said to flow freely, and if used in time the horse recovers. I heard ne man say that he once tried the remedy, and the horse fell as dead as if his brains ad been shot through with a ball. The preventives are simple and sure. They are imply sound food. I know that damaged grain will produce it, even if the damage is o slight as not to be readily discovered, as new-ground corn often is, or shipped corn, lightly heated from incipient fermentation, or late corn affected with smut. My xperience on these points is full. In 1836 I lived in Montgomery County, Alabama. The corn and cotton crop that year was a failure. Most persons got their corn from New Orleans, which had been shipped down the Mississippi River in flat-boats. The corn generally looked well, and when planted came up, but much of it was damaged and great numbers of horses died of "staggers." I was a boy then, and I heard it attributed to the shipped corn; and I have never *known* a case of "staggers" which I could not trace to some of the above-mentioned causes. A few years ago I sold some corn to two log-men for the use of their oxen. They had one horse each, and both were valuable animals. I knew the corn had been heated, and in the most urgent manner cautioned them against giving it to their horses. But they fed their animals with it, and both horses died of "staggers." Some pastures at certain times are said to produce the disease. In such cases it would seem that it is caused by a web on the grass.

The following remarks on the treatment of horses will perhaps be new to many: About twenty-three years ago I had a horse very badly foundered. I tried various remedies of empirics, but my horse grew worse. After witnessing his sufferings for several days I resolved to know what the founder was (having a contempt for such works on farriery as I had then seen). I prepared to cut into and lay off the whole of the thin covering of the bottom of the foot. Setting my knife obliquely to avoid puncturing the capillaries as much as possible, I introduced it at a point between the frog of the foot and the toe. As soon as I punctured the thin horny covering a serous-looking fluid was emitted. I extended the incision far enough to examine the integument underneath this covering. I discovered the mucous covering of the capillaries entirely separated from the horny portion of the foot. The vascular portion of the foot was highly inflamed and as sensitive as an exposed nerve. I then cut into the other foot and let out this serum. It seemed to me to be analogous to an ordinary blister on the skin, where the cuticle is lifted up and leaves the mucous coat or serum intervening. This serum showed no disposition to harden on exposure to the air and stop up the orifice, but continued to be as limpid as oil of turpentine. He was a long time recovering, but when he did recover the cure was radical. The foot was not the least affected. After he passed out of my possession I continued to inquire after his welfare. He never foundered again or complained of his foot. Had this lymph remained in the foot it would have formed a fungus substance, which would eventually have produced what is known as chronic founder. This operation should never be performed until several days after the founder is known to have caused this effusion. The incision should not be large, and should be made very oblique in order to cover the integument. After the inflammation had entirely subsided the exposed parts were very tender, and I had thin, solid shoes put on, which covered the entire bottom of his feet, and he traveled without any difficulty.

I have had several horses foundered since, and I never found any difficulty in curing them in twenty-four hours by fastening around their ankles cloth or rags and pouring warm water on the bandages. I have generally carried it so far as to produce blistering of the ankles, which has sometimes been slow in curing up. This remedy should be applied as soon as the founder is discovered, and before the formation of the serous discharge. In no case should the horse be used for several days. I believe that oil of turpentine would answer the desired end if used on the ankle after several hours' use of the warm bath, applying after the hair is wiped dry.

I have observed in horses a very marked tendency to metastasis when diseased. This peculiarity may account for their susceptibility to the action of counter-irritants.*

All other agricultural interests sink into littleness when compared with cattle-raising. In the Gulf and South Atlantic coast it is blended with our hygiene and civilization, and yet it is hard to find an example of any interest so much neglected. Per-

haps it would be best to first explain the cause of this neglect. In 1836, and a short time after the last Indian insurrection of the Creek Nation, and a short time after the massacre of the stage passengers, and the burning of the stage and United States mails, I traveled through the Creek country from Columbus, Ga., to Montgomery, Ala. Sixteen miles from Columbus were found the bones of the stage-horses and some of the charred wood of the stage-coach. Every white person had moved out of the nation. The public mind was greatly excited, and I was left alone with thirty or forty negroes and eight horses to wend my way through the country. There was no corn to be had until we reached the station of the United States soldiers, where ample food was obtained for our horses. Having passed the Creek territory I reached the lime lands of Montgomery, where I saw some cattle, and they continued to increase in numbers and size the farther I progressed into the prairie lands. These cattle had very much the appearance of the Texas cattle now. In the years 1836 and 1837 the Indians were moved out, and farmers from Georgia and the Carolinas soon occupied the lands thus vacated. The grass in the summer and cane-swamps in winter kept their stock in fine condition. The cows had calves every year, and soon the woods were teeming with cattle. Almost without care or feed the cows produced an abundance of milk and butter the year round. But a change was all the time taking place. The large herds while feeding on the hill-sides were cutting the grass roots with their feet and loosening the soil and sand. The rains would wash this earth and soil down into the edge of the cane-swamps, giving the stock a foot-hold to reach the cane on the edge, which was otherwise inaccessible. And so steady and rapid was this change that eight years after, when I traveled through this section of the country on the same road, those cane-swamps were marked only by sandy branches with some switch-cane on the edges. The cattle-range lasted much longer near the Gulf coast, for the reason that the country is more level and generally less inviting, and is farther from the sources of supply and population. It was under these circumstances that cattle-raisers formed their habits. These surroundings lasted a full generation, and a generation grew up who knew no other resources. Cultivated pasturage and hay-lands are unknown to them, and as I have repeatedly reported before to your department, I do not know of one acre of ground cultivated in West Florida for pasture and hay, though my acquaintance is very general. That you may be enabled to form a correct opinion of the losses of the cattle interest in this section, I will give you the system of stock-raising here. About the 1st of February each year much of the grass range is burned off, and all the young and tender shrubs which grew up the previous summer are killed by the fire. The wire-grass first starts to grow and puts forth large bunches of young, tender, and quite nutritious growth. This burning is done only in small spots of a few miles square. The cattle soon find it out and gather on "the burn." This burning is done to draw the cattle from the low lands, for at this season they are very poor and weak, and hardly able to get out of the smallest bog. The weather is generally such that, if there is much rain, the cattle catch cold if they lie down at night. Many become stiff and lame, and some are never again able to rise to their feet. If they are lifted up they are so far exhausted that they rarely recover. The remainder of the loss is in boggy branches, where the cattle reach after a little green switch-cane. These losses frequently amount to 80 per cent. of the breeding cows and a much smaller per cent. of the dry cattle; but as the heifers are rarely ever sold or killed for beef, the stock is thus replenished. If from accident or otherwise fires get started and the woods are burned while the weather is too cold for the grass to grow fast, many cows gather on "the burn" and perish while nibbling at the short herbage. This short grass is very weakening to them, as it inclines them to scours.

The general burning of the woods is about the last of February. The weather at this time is usually warm and the grass shoots up rapidly. The cattle recover very rapidly, though for a few days they suffer much from hunger, as the whole country is a charred waste.

About the 1st of April the cattle-owners appoint a time and place of meeting to make a "drive." All the cattle at pens are collected and the owners separate them. After they are separated, the large stock-owners drive fifty or one hundred five or six miles away from any other large body of stock and give them into the care of stock-minders who have pens built for the separation of the cows and calves, and whose compensation for this service is the milk from twenty to fifty cows and the manure from twice or three times as many dry cattle. The cows average about one quart of milk per day. Since the partial destruction of the range the cows have calves but once in two years. Very little milk is taken from what are called the calf-cows, the most of it being taken from the yearlings. All the cattle are supposed to be penned every night, and from one to three acres of ground is what is called "trod." On this "trod" land the stockmen plant corn and sweet-potatoes. Some plant a small patch of sugar-cane. About the last of July or the first of August the calves are all marked and branded, and the whole herd is turned loose to hunt the wild oats on the unburned spots of the early spring. They have free range to gain all the strength they can to take them through the winter. Beef so raised is not good. It has but little flavor, and persons

who are able to buy good Texas or western beef will not buy it if they can get the better. Some few steers eight years old or more make very fine beef late in the fall.

A moment's glance at this manner of cattle-raising will convince you of the severe trials infants and children from one to three or four years old must undergo. Four months of the year they have an abundance of milk, a food easily digested and answering most of the demands of the animal economy. They use little else. Their stomachs are fitted to its easy digestion. In an hour it is all taken from them, and the most indigestible of all food for children is substituted. Now, new sweet-potatoes, corn-bread, and pork or bacon is the food for their tender stomachs to digest. The change is too great for their delicate organs of digestion. They feel a restless craving for something, and they eat whatever comes in their way—rags, paper, pine-bark, rotten wood, and finally the clay with which their chimneys are daubed.

Sheep in this section, like cattle, suffer from few diseases except such as are brought on from neglect. The scab is a common disease among them, and so far as I know but few attempts are made to cure it. It is also a very common disease among goats. Sheep likewise suffer from rot. I have recently tested tobacco as a remedy for this disease. Sheep eat it very readily when it is mixed with their food, and soon become fond of it. If properly used, I think it will effect a cure. The range for sheep is much better than it is for cattle, and they generally keep in good order most of the year.

I have had a great deal of observation, but little experience, with the diseases of hogs. During the war a good many hogs died of cholera, for which there was no remedy. Copperas was used as a preventive with some success. Preventives I believe to be the only safe policy.

In conclusion, let me assure you that there is great room for improvement in agriculture in this section, and much can be done by your department if it is afforded the necessary means. It is pleasant to witness your efforts to build up the substantial interests of the nation, and your confidence in the prospective economy is not a vision.

Dr. J. G. HART, Murray, Calloway County, Kentucky, says:

A disease uniformly fatal to horses has prevailed in this section for two years. It appears to be propagated by actual contact with matter or virus, inasmuch as animals kept separate though near the disease are not liable to take it. Some regard the disease as cold distemper, while others believe it to be glanders. The symptoms are about as follows: At first fever, which is soon followed by a dry cough and a nasal discharge resembling that from ordinary distemper. There is more or less enlargement of all the glandular organs so far as can be observed. Constitutional disease soon sets in, which is denoted by the change in the nasal discharge from a watery to a gleety and offensive flow. The animal loses flesh rapidly; the skin soon becomes thick and eruptive; the lymphatic glands throughout the body become much enlarged, but never soften or suppurate; the submaxillary and sublingual glands are most especially involved, at least in most cases to the extent of suppuration and softening. The duration of the disease is from two to twelve months. It is invariably fatal. Quite a number of remedies have been used, but without success. Veterinary surgeons have been employed with like ill success.

Hog-cholera, with its usual symptoms, has prevailed to a considerable extent in this locality. The only remedies that have been used with any degree of success are hygienic. If the animals are confined in a dry lot when the disease makes its appearance, the mortality will be very small. Drinking cold water appears to be the immediate cause of death in a majority of cases.

A disease called by some hog-measles prevailed here as an epidemic from June until October of this year. The disease is characterized by a high grade of fever for two or three days, which is followed by an eruption about the head, neck, and shoulders, and in some cases of the entire body. This lasts three or four days, when the animal either begins to recover or dies. Sulphur and poke-root have been used with apparent good success. Hogs should be confined to prevent them from drinking too much. The fatality corresponds with the character of the epidemic as to mildness or malignancy.

A disease called chicken-cholera has also prevailed quite extensively. By commencing early I used carbolic acid with good success for two years, but it has signally failed this year. Confinement in coops elevated above the ground, with little or no water to drink, would seem to be the surest remedy.

Mr. H. P. JORDAN, Victoria, Victoria County, Texas, says:

Native cattle are free from disease and comparatively healthy, but I think fully one-third and perhaps one-half of all the Durham cattle imported into this section of the State have died during the past two years from what people are pleased to term acclimating fever. The disease appears to be similar to that which afflicts the cattle in Missouri and Kansas, and which is supposed to be imparted to them by the native cattle of this State. I think all cattle brought here have this disease sooner or later. The

first symptoms of the disease are fever and constipated bowels. The principal remedy used is castor-oil. The disease is a very serious drawback to the cattle-raisers of the State, who are trying to improve their long-horned Spanish breed with short-horns. If anything can be done to arrest it, great benefit will result to the people of this State. One of my neighbors lost four out of six fine Durham bulls, another lost three out of five, and a few have lost all.

No unusual disease exists among horses and hogs. Chicken-cholera prevails to some extent at times. There are a great many cures recommended, but I think all of them fail when the disease gets a good start.

Mr. JOHN W. GILL, Clay County, Missouri, says:

Hogs die here by the thousands of cholera and are doing so all over the country. No certain cure has been found. I have used a great many things, and if anything has done any good at all it has been spirits of turpentine given in slops. Fowls die quite rapidly of cholera. I have used wheat bran and epsom salts as a preventive with good success. Dissolve the salts and wet the bran with it and feed. If they will not eat, drench them with salts—a teaspoonful at a time once a day. Since adopting this treatment I have lost but few fowls.

Mr. H. G. KERNODLE, Kirksville, Adair County, Missouri, says:

A few cows have recently died here of a disease called "mad itch." No remedy known or treatment given.

Over four hundred head of hogs have died of cholera in this vicinity during the past two years. Farmers have used every remedy known, but without success.

Two years ago about all the chickens died. No remedy used or treatment given. This statement relates only to my own immediate neighborhood of about two miles square or less.

Mr. G. W. RAUDABAUGH, Celina, Mercer County, Ohio, says:

The only disease from which serious losses have been sustained is from cholera among hogs and chickens. The disease has prevailed quite extensively among hogs the past season, and on some farms is still prevalent. Two years since it prevailed in a mild form, and about 20 per cent. of those attacked died. This season it was more extensive and fatal, and the losses were about 50 per cent. of those affected.

We thought we had a remedy for the disease, and in many instances it seemed to check it at once; but the past season it failed to bring the expected relief. The prescription for fifty hogs is as follows: Two pounds black antimony, seven pounds copperas, five pounds sulphur, and two pounds saltpeter. Two years ago my neighbor gave this remedy to his hogs after he had lost twenty-five out of a herd of seventy-five, and he lost no more. Notwithstanding the same remedy was given to about one hundred hogs this season, about one-half of them died. Two years since my hogs were attacked by the disease. I gave them no remedy, but removed them about three-fourths of a mile from their old haunts into a woods-pasture, and they all recovered. This season they were attacked in October, and out of fifty head about thirty died.

The disease is always more fatal among pigs than among older hogs. The symptoms are not always the same. In the first stages food is taken very reluctantly and does not seem to be relished. Indisposition to move and general stupor follows; a cough sets in, which I think is caused by a nauseated stomach, and a great disposition is manifested to lie on the belly. In a few hours after death in almost every instance the carcass becomes wonderfully swollen. All things considered, this is one of the most difficult diseases to understand that animals can be afflicted with. My hope is that your investigations may result in the discovery of at least a preventive, if not a permanent cure, for this terrible scourge.

Mr. WILLIAM B. ARNES, Warrensburg, Johnson County, Missouri, says:

With the exception of hogs and fowls, our domestic animals are quite healthy. Fowls are subject to a disease called cholera, of which I will speak hereafter. Within the past two years and a half the farmers of this county have lost heavily by a disease among swine erroneously called cholera. During the time indicated the disease has assumed three different forms. The first, by which I lost most of my herd, constipation was developed. The evacuations were dark and dry. The animal had a feeble, staggering walk, and appeared in great pain. Death ensued within from six to ten hours. When the weather became cooler the symptoms changed. The bowels were loose, there was slight bleeding at the nose, and the urine was strongly colored with

blood. *Post-mortem* examinations showed congestion of the lungs, and sometimes worms in the intestines. The last type of the disease is now prevailing among a number of herds in this vicinity and is proving very destructive. Occasionally the hair of the animal nearly all comes off and the skin is a broad, raw surface. I have had two hogs to recover from this form of the disease. I believe the best treatment is to give the hogs plenty of room to range over. I keep salt and ashes in my feed-lot and give them all the pit-coal they will eat, and occasionally a bran-mash wet with poke-root tea. I believe poke-root to be a preventive of disease in hogs. So far as my own experience goes, I have found it a cure for diseases among fowls. By following the above treatment, I have not lost a single hog or fowl by disease this season.

Mr. JAMES W. GRACE, Watterborough, Colleton County, South Carolina, says:

The past year has been an unusual one with hogs. They have been attacked with a disease known as cholera, which usually kills them within about ten days after the first symptoms make their appearance. They refuse to eat and seem to desire to lie down all the time, and apparently suffer very much. I have not known anything like it in the last fifteen years. It made its appearance about the 1st of September.

Mr. AARON DRESSER, Hardinsburg, Breckinridge County, Kentucky, says:

The disease common among hogs, and known as cholera, has prevailed extensively in some parts of this county, and has been very fatal. I have heard of no remedy that can be depended upon.

Mr. C. B. RICHARDSON, Henderson, Rusk County, Texas, says:

Before the war I lived near the Mississippi River, in Carroll Parish, Louisiana. A disease called cholera broke out among the hogs. It was the first epidemic ever seen by the planters in that vicinity. Most of the planters had very large herds of hogs, as there was a good range in the swamps back of the farms. Every form of treatment was used without any marked success. The attacks of the disease were quite sudden. Some would swell up and the flesh would look livid, and they would die in twenty-four hours. Some were constipated and others would have diarrhea. Fat hogs, as well as lean ones, were subject to attack. I had two killed when first taken, and got my family physician to assist me in making a *post-mortem* examination. The bowels were constipated, and the inflammation of the bowels and stomach was very great. I kept the hogs in a dry inclosure, under the gin-house and cotton-shed. I put tar in the troughs, and fed with corn boiled in lye and copperas water, and poke-root decoction to drink, and used various other nostrums in vogue without success. I burned the hogs that died. One neighbor drove his well hogs four miles into the swamp, and made a man camp with them there, with some success, he thought, as they appeared to die at a less rapid rate.

I have lost some large hogs and pigs this summer with this epidemic here. The disease appears to be a violent fever, and kills the animals in a very few days. I put one fine hog in a lot where it had a good, dry shelter. I tried to doctor it with liquids, but could not tempt it to drink anything. I tried to give it a dose of calomel on a piece of beef, but could not induce it to eat anything at all, and finally gave it up to die. It lay three or four days in its bed, and after awhile it got up and ate a few mouthfuls of corn, and finally recovered without any treatment. I fattened it this fall, and on butchering it I found the lungs and intestines adhering strongly to the sides, and the intestines also tied in lumps with fine ligaments. On the intestines was a large ball four inches in diameter, filled tight with thick matter like dough.

Many nostrums published as cures have been tried with such little success that the farmers now let the disease take its course without attempting to do much of anything. When a hog once refuses to eat, little can be done for him.

Mr. WILLIAM DEARMOND, Irish Grove, Atchison County, Missouri, says:

The disease known as hog-cholera (a term applied to almost every malady that kills hogs) has done great damage in this neighborhood and adjoining communities. It is the same in almost every instance; it is only varied by the different conditions of the animal at the time of attack. Here the disease is contagious, and from the time of exposure until its development varies from nine to fourteen days. Symptoms, stupid, and refuse food, high fever, then eruption of the skin, sore eyes, and bowels either constipated or the reverse. In such cases death usually results within from four to seven

days. Another form of the disease is that of congestion, producing death within a very few hours. The average fatality is about 80 per cent. There is no effectual remedy known here. As a preventive perhaps complete isolation is the best treatment. I have never known an animal to have the second attack. The disease resembles measles in the human family, and the symptoms are very nearly identical.

Fowls are dying at a rapid rate throughout this and adjoining neighborhoods. The disease seems to be epidemic in form, and kills all on the premises. We know of no remedy, but as a preventive we use white-oak-bark tea, made strong and mixed with corn-meal, and set where the fowls have free access to it.

Mr. C. P. HALLIS, Bloomfield, Stoddard County, Missouri, says:

My hogs are dying at present with a disease that is very fatal. Ten head were attacked, and five died before I commenced treating them. I am now using strong soap-suds, copperas, and saltpeter, and the hogs seem to be improving under the treatment. They are beginning to eat again, and look much better. When first attacked their heads and ears droop, they lose the use of their hind legs, and purge and vomit. They sometimes vomit blood. The disease prevails extensively throughout this neighborhood.

Mr. J. JAMESON, Greene County, Pennsylvania, says:

Chicken-cholera seems to be permanently located here. It has not been so prevalent, however, the past year as previously. Remedies are numerous but not very satisfactory. So far as personal observation goes, I think calomel is used as a remedy with better success than anything else.

Mr. ROBERT W. FRITTS, Lanes's Prairie, Maries County, Missouri, says:

Cattle were quite healthy here until late in the fall, when a few cases of what is generally termed the black-leg occurred. There were some half-dozen cases in my neighborhood, all of which proved fatal. The animal generally lives from twenty-four to forty-eight hours after the attack sets in. Before death stiffness occurs in the hind parts, generally in one hip or leg; the head and ears droop, and dullness and stupor are observed. Fever, and a general quivering of the flesh, especially in the hind parts where the disease seems to be located, also are observable. After death the leg has a black or bruised appearance under the skin. Other parts seem natural except the gall, which appears enlarged. Several remedies were tried, but all failed to give relief.

We have a disease among hogs that has killed about 10 per cent. of them in this neighborhood. Some people term it cholera, some measles, and some lung-disease. It is first discovered by the hog refusing to eat and lying around in a stupid condition. Sometimes they will both purge and vomit, sometimes they will purge and not vomit, or vomit and not purge, and sometimes they will do neither. After death the neck and chest turn spotted, and the insides are often quite pieded. Sometimes they appear nearly rotten; at other times nothing of an unusual character is observed. The duration of the disease is from one to three days, but occasionally a case will linger for a week. After recovery from the first attack, when attacked a second time, a cough sets in, and they usually die in a short time. Those that recover are hard to make thrive or look well again, so it is generally decided here that but little is gained by a cure. Several remedies have been tried—in fact nearly everything that could be thought of—but nothing has proved very successful. I had several hogs attacked, but lost none. I used turpentine as a remedy. I was compelled to drench some of them but generally I was able to administer it in slops or over their feed. I told my neighbors of it, some of whom tried it and were successful, while others pronounced it a failure. I believe if used properly and in time it is not only a preventive but also a cure. From a tea to a table spoonful twice a day for two or three days is the way I administer it. The disease seems to be contagious, as it is generally from seven to nine days after it makes its appearance among a gang of hogs before others take it, and then dozens may be attacked within a period of twenty-four hours. Dr. Grace, who lost a hundred head by the disease, tried drugs, but finally gave the matter up and considered the malady incurable.

Mr. H. H. CUNNINGHAM, Steubenville, Jefferson County, Ohio, says:

In times past we have had foot-rot, so called, and paper-skin among sheep, and cholera among fowls. Foot-rot to my knowledge has never originated here, but has been introduced by careless handling of sheep brought from other places where it seems always to exist. The localities in which it develops itself without inoculation are in low marshes or moist grounds where the feet are always wet or damp. It is

unquestionably a disease caused by wet feet, and a cure without removal from the locality that caused it is an impossibility. The proper preventive would be the drainage of all moist soils, and keep the animal from coming in contact with those already diseased. For a cure the removal to dry soil is indispensable, then the paring of the feet and the application of strong caustics, such as blue vitriol, nitric acid, or butter of antimony. This, with close, careful attention for a few months, will usually effect a cure.

As regards "paper-skin," no cure has as yet been discovered (at least I have no knowledge of any). From my own observation I think it could be easily prevented. It is my opinion that the disease is occasioned by deficient nutrition, as it has always occurred in cold, wet seasons, when pastures are constantly wet and either have some of the elements of nutrition washed out of the grasses, or it may be the lack of heat and sunshine fails to develop those qualities. This, in connection with the unfavorable effects of the weather upon the constitution of the animal, is abundant cause for the low and feeble condition that always precedes this disease, or rather this is the disease itself. A supply of grain in such seasons, sufficient to keep up the normal condition of the animal, would, in my judgment, be a sufficient preventive.

In regard to "chicken-cholera," I would say for this locality that any disease that is fatal to the fowls is so called. I do not know what cholera really is as applied to fowls, and know no remedy. But I do know that the avoidance of close breeding and good care and cleanliness, with healthy food and enough of it, is a sure preventive.

Mr. J. TOWELL, Rankin County, Mississippi, says:

A disease called charbon killed half the horses and mules and many cattle in Rankin County, Mississippi, and vicinity, in 1867. The same disease is reported to have prevailed fatally for the past two years in some parts of Louisiana. This disease partakes somewhat of the symptoms of erysipelas in the human family, being characterized by local inflammation, pain and swelling in some portion of the animal's body, most frequently in the neck, breast, flank, or sides, and is very readily communicated from diseased animals to healthy ones by house-flies, which carry the virus from one to another. But my purpose is not to give a treatise on the disease, but simply to point to a remedy that proved speedily efficacious in nearly every case in which it was employed. Fish-brine is the remedy, and it was used as a local wash to the inflamed parts. Much friction was used and the surface kept wet with the brine until the animal was cured. It is necessary to keep the animal in the shade (stabled) and protected from horse-flies while under treatment. Epsom on Glauber salts were employed internally, given in sassafras-tea when the case was obstinate. Three-fourths of the cases treated yielded readily to the fish-brine wash alone.

Mrs. MARY E. DONLEY, Knoxville, Marion County, Iowa, says:

Hog-cholera has been raging all over our county for several years, and so fatal has it proved that it is regarded as incurable. Many remedies have been proposed and tried with no good effect. The symptoms are, the animal is seized with a hacking cough similar to that of bronchitis, refuses to eat, and turns of a purplish color. I have seen some on our farm where the ears would become badly swollen, and blood would ooze out of them before death. Diarrhea generally ensues. We have thought that in several instances a change of locality abated the disease. Death generally occurs in two or three days; however, in many instances, they are dead before you know anything ails them. I suppose ninety-nine out of every hundred die, or ought to, as they never do any good afterward.

Diseases among cattle are not much dreaded, that known as black-leg being perhaps an exception. I do not know any symptoms; generally find the animal in a helpless condition. If taken in time the disease can be cured by an application of turpentine on the back, over the hips, and on the swollen parts. Must be bathed in with a very hot iron. In fatal cases the animal lives about three days.

Sheep here have become so badly diseased with scab and foot-rot as to make sheep-raising very unprofitable. We find that thorough dipping in tobacco-tea is a certain cure for scab. I have also heard that if blue vitrol is mixed with water and the sheep compelled to walk through it once a day for a few days it will likewise effect a cure.

The raising of poultry is not considered near so profitable as in former years, because of the ravages of cholera. The fowl mopes around or remains on the roost until it dies, which is a very short time. After death the liver is found swollen to about twice its natural size. The heart is also found enlarged. I am sure I have checked the disease several times by using the following recipe: One tablespoonful of finely-ground black pepper, same quantity of alum, and one teaspooful of soda, mixed in one gallon of sour milk, and placed where the fowls can drink as often as they choose.

Mr. JAMES T. DONALDSON, Bowling Green, Warren County, Kentucky, says:

Hog-cholera is the only devastating disease our farm-animals are afflicted with.

Dr. R. BUCKHAM, Phelps City, Atchison County, Missouri, says:

Our loss in hogs by what is improperly called cholera has been very great. In the winter of 1865–'66 the losses amounted to at least $100,000. The symptoms are generally stupor, indisposition to move, stiffness of the joints, eyes weak and water, sometimes red; constipation of the bowels; discharges black and hard at first. In some cases diarrhea sets in with bloody discharges and vomiting; high fever and great thirst; occasional bleeding from the nose; in some cases they have cough, in others none; the skin turns a dark purple on the sides, abdomen, and throat. The duration of the attack varies from one day to a month. I think about 80 per cent. of those attacked die. Those that recover peel off like a child with scarlet fever. *Post mortem* examinations reveal the following diversity of phenomena: Congestion of the kidneys; blood in the ureters and bladder. In other cases these organs appear healthy, and the bowels contain a green, degenerate bile of an acid character; in other cases the liver is black in a state of decomposition with empty gall bladder; again the spleen is congested and distended to three times its normal condition. In some cases the lungs show inflammation, with dark spots interspersed through them; and again, in some cases the stomach contained a green acid fluid, the action of which had destroyed the mucous coating of the walls of the stomach, rendering it not thicker than brown paper. It will be seen from this that different organs are affected in different hogs afflicted with the same disease. I have paid particular attention to the progress of the disease, and I am satisfied it is contagious. In all cases where healthy hogs have come in contact with diseased ones they have been infected. I know of no remedy. We have tried everything recommended, but without success. The only safety is in preventives, and the surest preventive is to keep sick hogs away from the well ones.

A few cattle have been lost, in pens, by a disease which seems not to be understood here. I am told by those who have made examinations that after death dark congested blood is found about the joints. There is no cure that I know of.

Cholera exists among fowls, and it is quite fatal. About 50 per cent. of those attacked die. Smart-weed, cut fine and mixed with dough or given in strong tea, is a good remedy.

Mr. J. E. GRAY, Brenham, Washington County, Texas, says:

A fatal disease commonly called cholera exists among fowls here. The symptoms are first a drooping appearance and disposition to remain on the roost until late in the morning; indifference about food; the wings droop or fall; great thirst, as they drink frequently. Sometimes they show signs of gapes. These symptoms continue from two to three days, when death ensues. When the disease strikes a flock it carries off from 50 to 80 per cent. This season one flock of seventy had but seven left. My wife has used the following remedies with apparent success, but more as a preventive than a cure, viz., red-pepper, sulphur, alum, copperas, turpentine, or rosin, with lime-water to drink. I dissected one that died suddenly, and found the liver in almost a state of decomposition. This leads me to the belief that the liver is greatly implicated in the disease.

Mr. GEORGE A. HYDE, Keating, Pennsylvania, says:

There is no disease among farm-animals in my neighborhood except garget among cows. The remedy is soft-soap and milk of equal parts, one quart every other day until there are signs of improvement. Others give four ounces per day of saltpeter, mixed with pale molasses. These remedies, if properly used, generally effect a cure. Saltpeter and sulphur is a preventive, or in fact anything that will cleanse the blood.

Mr. J. D. SMITH, Greig, Lewis County, New York, says:

A disease made its appearance among cattle in this county in July, 1877, where it now exists. It attacks old and young. The first symptoms are manifested by stiffness and great pain, as the animal moans continually and so loud that it may be heard some distance, loses its appetite and cud, and has no action of the bowels; manure, if any, is as black as ink; if a fresh cow, the milk dries up entirely within three hours, and the animal almost invariably dies within forty-eight hours. On opening the animal blood is found in bunches in the veins, the flesh is bloodshotten on the stomach, and inflammation of the bowels is revealed. No very close examination has been made here. Various remedies have been tried, and I have succeeded in curing one of my own cows that

was attacked by the disease. I gave her one pound of Glauber's salts dissolved in warm water, and every hour for six hours gave her a quart of strong boneset tea, rubbed her body and joints with a woolen rag to start the circulation of the blood, and in a week after the attack she was able to raise her cud, but gave no milk for two weeks. At the end of three weeks she appeared as well as ever, and is all right now. This disease prevails on sandy soil, where the feed is good and the water is pure. It is new to us, and is alarming. No cattle have been attacked with it since they were taken from pasture and shut up.

Mr. JOHN ARMSTRONG, Coryell, Coryell County, Texas, says:

Having resided on a farm in this county for twenty-two years, and knowing something of diseases among horses here, I will try to answer some of your inquiries. Spanish fever, when I first came here, was the dreaded disease, but I think as soon as horses are acclimated they are less subject to it, and it is also less fatal. Before the war, I lost several valuable animals by it. Symptoms: Moping around, or standing still much in one place; very high fever; slightly swollen in the throat; great difficulty in swallowing; inability to lower the head to drink; stiffness in the hind parts and tenderness in the loins; a slight bran-and-water-looking discharge from the nostrils. The duration of the disease, which generally terminates in death, is from four to five days, sometimes the animal lingers for several days.

The first animal of mine that recovered was a large Tennessee mare, twelve years old and in fine condition. As soon as I observed the first symptoms of the disease I bled her copiously, and in three hours after she could drink water from a bucket by holding it up to her. In about five hours she ate a wheat-bran mash (one gallon), an in twelve hours had a fine appetite, eating and drinking all I would give her. She was well, but weak from the loss of much blood. She was never sick afterward, and died in colting, at the age of nineteen. Of the second case, a wild, unbroken four-year-old gelding. I bled him till he staggered, put water up for him in a trough, and sheaf-oats, and left him loose in the lot, as he was too wild to drink from a bucket held by a man. He recovered at once from the disease, but, like the mare, shed off his hair until his back and sides were naked. Since then I have lost none. Seeing the remedy at page 39 of the Agricultural Report for 1869, I have used it with entire success, greatly preferring it to bleeding, which weakens so much that the animal is unfit for service for some time after. Many here believe the Spanish fever and the so-called epizootic to be the same. However that may be, animals having green, nutritious grasses, or a green wheat field to run on, will not have either disease to hurt them.

Mr. W. E. GRANT, Carrollton, Carroll County, Kentucky, says:

We are troubled more in this immediate locality with the loss of hogs than any other class of farm-animals, and my observations have been confined chiefly to the progress of the disease called hog-cholera, and as it relates more nearly to young pigs from four to twelve weeks old. Among the first symptoms are shivering, slow and careful movements, and a desire to remain almost constantly in the warmest sleeping place they can find. They eat very little. In those that are not weaned, and in some that have been, a thick wax collects on the eyelashes and fastens the lids together. On opening the lids by force the ball of the eye appears perfectly white, and is entirely devoid of sight. The discharge from the bowels at first is like thin wheat-flour dough, but toward the latter stages of the disease becomes quite black, and has a very offensive odor. Coughing is very frequent—often one of the first symptoms. The attack lasts from five to ten days, sometimes longer. Should any apparently recover they rarely ever become of any value.

No remedies have proved beneficial to young pigs, though many have been tried. If the brood-sows were kept in perfect health the pigs most likely would not be attacked. The most successful treatment for preventing the spread of the disease that has been tried here is as follows: Remove all affected ones from the drove as soon as the first symptoms are observed. They had better be killed and buried, but may be put in a remote lot by themselves. Change the diet of the well hogs as much as possible; keep by them at all times a mixture of coal-ashes (seven parts) ground sulphur (two parts) and one part of pulverized copperas. All the coal-ashes and fine coal that the hogs will eat should be given to them.

With all the light we have on the subject we are still very much in the dark, and some farmers have become so much discouraged in their fruitless efforts to arrest the disease when it once gets among their hogs that they have given up swine-raising in disgust.

Chicken-cholera has given much trouble to poultry-raisers here lately. The most noticeable symptoms are drowsiness, disposition to remain all day on the roost, and an active discharge from the bowels. A great many remedies have been used, but none have proved of any permanent benefit. Five drops of carbolic acid in a half gallon of water for the fowls to drink seems to have arrested the disease for a time in some poultry-yards.

Mr. L. S. MORROW, Duvall's Bluff, Prairie County, Arkansas, say

Cattle have been subject to two diseases here, both of them showing symptoms si ilar to dry-murrain. Various remedies have been used, but with very little succe Some say that turpentine, used internally and externally, is a good remedy, but I kn of but very few cases where any benefit was derived from its use. Home-made l soap has been used in a few cases with slight success.

Hogs have died largely of a disease called cholera by many farmers, but by exam ing those that died the trouble was found to be caused by worms about three-fourt of an inch in length. These worms were found in great abundance in all the h examined.

Chicken-cholera has prevailed here for the past three or four years, and many fo have died during that time. The symptoms are about the same as elsewhere.

Mr. M. J. SADDLER, Dexter, Stoddard County, Missouri, says:

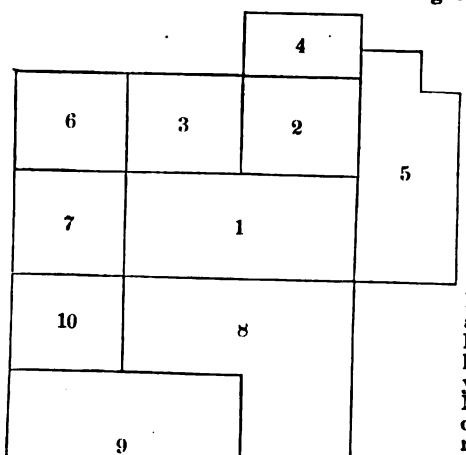
Hogs are seriously afflicted here with a disease called cholera. When affected w this disease they appear mopish, refuse to eat, have high fever, break out in lum bleed at the nose, and die soon. I have known a few cases where poke-root tea affe a cure, but the best remedy is equal parts of logwood and blue vitriol, steeped and ministered to the animal.

Mr. E. T. BENTLY, Tioga, Tioga County, Pennsylvania, says:

The hog-cholera is unknown in our county. The only disease affecting hogs in t county is an old malady, known as throat distemper. Sulphur and ashes placed in t trough where they eat, once a month, is a preventive, but not one farmer in twe takes this precaution.

Mr. HORACE MARTIN, Corning, Holt County, Missouri, says:

I have been a resident here nine years, and during that time no disease has prevai among farm-stock, except a disease among swine. Raising corn and feeding cat and hogs is the principal industry in t vicinity. During the last three years t losses among hogs have been grea than heretofore within the circle of t observation. There is a singular about the spread of the disease which me is unaccountable. Some years a f mer will lose nearly his entire sto while his neighbor adjacent will rem entirely exempt from it. Then in a ye or two the conditions will be revers I will give you the statistics of the l three years of this and adjacent secti numbering the farms 1, 2, 3, &c., t locality being farm No. 1. Two ye ago at this date (September 1) N. Ro lins, No. 9, lost 210 head of hogs out his feeding pens. He did not count t young shoats, which were not confin No. 8 lost 30, but in a tenant's pen at t own feeding-yard he lost over 200 he more. Farm No. 5 lost 36; others no Last fall No. 1 lost 57; No. 2, 80; No 45; No. 4, 64; No. 6, between 30 and 4 others none, or very few. This fall, in herd of 150, I have lost none. Neith has 2, 3, 4, and 5, while 6, 7, and 10 have lost over 100 head. These were fattenin hogs, not shoats, and weighed from 200 to 350 pounds.



The characteristics of the disease are various, although in numerous cases no sym toms of disease were observable. In the morning I would find hogs dead that t night before I thought were well; yet on examination I would find the lungs, inte tines, and skin very red and engorged with blood, but I supposed it was a natur consequence of their dying with all their blood in them. Unless the hogs are qu young the liver is always found ulcerated and otherwise diseased. The first sympto noticed is reluctance to leave their beds. Rout them out and they walk as thou they were stiff. Their urine is highly colored or bloody. Possibly they may bleed a the nose; then they are sure to die in less than twenty-four hours. When found dea

the nose is nearly always bloody. Sometimes the disease commences with a cough, panting at the sides and flanks, and a refusal to eat. They then linger along for a week or ten days, when they usually die. With the experience I have had with it I believe it to be more properly a typhoid fever. There are numerous remedies for sale, held as secrets, yet I never see any good effects produced by them when used in a herd of sick animals. They may be valuable as preventives. For eight years past I have endeavored to keep up my herd to one hundred and fifty head, feeding from seventy-five to eighty each year. Except during last fall I have had no disease among them. I have dry, open sheds for them to sleep in, and feed them all the ashes we make, mixed with a little salt. Occasionally we mix several tablespoonsful of sulphur, or about half as much copperas, with the ashes, say once or twice a month. We give them all the corn they will eat up clean.

Many hogs are dying all through this section of the country. I think you have undertaken a difficult task in trying to convince the average Congressman of the necessity and utility of appointing a commission to investigate the diseases prevalent among farm-stock. But it is a subject that calls for immediate investigation. This immediate vicinity has not, I think, suffered larger losses in comparison with the number of hogs kept than other neighborhoods in general. Yet this school district, comprising four full sections of land and two fractional sections bordering on the Missouri River, has in the last three years lost certainly ten thousand dollars' worth of hogs. Hence the aggregate losses in the State must reach high in the millions of dollars.

Mr. W. C. HAMPTON, Mount Victory, Hardin County, Ohio, says:

The disease among hogs does not seem to be so fatal in our county as in many other places. From the result of investigations I should say the disease was intestinal fever, or perhaps consumption. The first symptom of the complaint is a bad cough and a refusal to take food, especially corn in the ear, which they will smell of and pass by. Perhaps their jaws are too weak to crack the grain, for they will eat it when ground into meal. They continue to lose flesh for a month or more, when they die. A few have so far recovered as to permit fattening. Upon examination the livers and lungs of these animals are found greatly deranged, both being covered with white spots. Another peculiarity is that the intestines and stomach are very much reduced in size, which I think would indicate the effects of a high state of fever. No remedies have proved of any benefit. We have tried sulphur, tar, and copperas. Those saved were fed freely on corn-meal. This may have had a good effect in keeping up the strength of the animal until the disease abated or was worn out.

Chicken-cholera has been severe in some sections of this county. In this locality it was more modified and slow, but finally sure in its operations. They would mope around for weeks before death ensued. The disease must be much the same as that which afflict hogs, as the liver is found greatly enlarged and in a decaying condition.

Mr. GEORGE W. PARKER, Vandalia, Audrain County, Missouri, says:

There are but few fatal diseases among cattle here. Sometimes they die of a disease called black-leg. I know of no remedy, but salt given at regular intervals at all seasons of the year will be found a good preventive. I have handled many cattle at a time, and with very good success. In a herd on the grass beside mine twelve or fourteen head were lost while I lost none. I salted my herd regularly, while my neighbor failed to take this precaution. I salt twice a week, and have regular days for so doing.

The prevailing disease among hogs is called cholera, but I have my doubts about its being that disease. They are attacked in a great many different ways. Some die suddenly and others linger for a long time. Breeding young hogs has a tendency to produce diseases. A general preventive will be found in breeding from none but old and mature animals.

Mr. H. M. ENGLE, Marietta, Lancaster County, Pennsylvania, says:

My own immediate vicinity has thus far been almost entirely exempt from epidemic diseases among farm-stock, except epizootic among horses several years ago and chicken-cholera now and then. The former made a clean sweep, *i. e.*, few animals escaped the disease. The cause or causes I have never had satisfactorily explained. Chicken-cholera I had for the first time last summer, and I am confident it originated in neglecting to keep their roosting places regularly cleaned. I have no faith in any of the nostrums so generally recommended, but have in pure air, pure water, a change of feed, and a clean feeding-place. The cause is a disordered condition of the bowels, similar to that of cholera in the human; and anything that will restore them to their normal condition will effect a cure. By attending to sanitary requirements, and feeding whole grain well dried, even to browning, effected a speedy cure in my fowls.

Mr. J. S. N. NEWMYER, Lone Lake, Mason County, Missouri, says:

Heavy losses have been sustained in this section by a disease among swine call cholera. There are several different diseases classed under this name, or else the di ease has many different phases. I have been raising and fattening on an averag about 100 hogs per year, and had very good luck until last January, when my anima commenced dying, and since then I have lost 200 head. I had 120 head on the firs visitation of the disease, and out of that number lost 100. I did nothing to preve the spread or to cure the disease—only separated the well from the sick hogs, but th seemed to do no good. Those first attacked died in a few days, and were full and plum when death ensued. After a few weeks they lingered along for a good while, and we generally reduced almost to skeletons before they died. The last ones that died h what we here call thumps, and they lingered along three weeks before they died. A ve few recovered after they had become so poor and thin that they could scarcely stan At the expiration of about two months I commenced buying another herd, weighing fr 80 to 140 pounds each. I purchased them at different points, getting from six to ten w place. After a little while they also commenced to get sick and die, and I lost 15 out of in that lot. I used remedies with this herd, but do not think with any good results, though several of them recovered. Some of them had high fever, and others passed blo urine. This was in May and June. In September following my pigs took sick, a in a very short time I lost 35 out of a herd of 38. These pigs were suckling at the ti the disease broke out among them. They and their mothers were confined in the sa lot with 40 hogs I was fattening, but none but the pigs were affected in any way. have known several such cases in this neighborhood, and therefore I am not inclin to believe that the disease is contagious.

I believe an investigation, as you propose, will result in much good. It should made thorough and complete, and the disease is so wide-spread and involves such va interests that the government should afford ample means to investigate, and, if po sible, determine its cause or causes.

Mrs. J. S. YOST, Pottstown, Montgomery County, Pennsylvania, says:

We have had some cases of pleuro-pneumonia among horses in this section of t county. Symptoms: The animals lag in their walk, and manifest little desire f food. They have a cough, with discharges at the nose and mouth. The remedy u is forty drops of aconite and eighty drops of muriate tincture of iron in water, giv twice a day. The animal should be well rubbed. I am informed by a veterinary su geon that horses afflicted with the epizootic five years ago are more liable to this dise than others. The disease is quite fatal. Some horses live but a few days, while oth may linger for several weeks. If proper remedies are immediately used two-th will recover. A *post-mortem* examination reveals the pleura in a high state of inflamma tion, presenting a purple-red color. The blood is watery, and about the lungs is fo pus.

A few cattle have also had pleuro-pneumonia. The symptoms are about the same in horses, with the exception that the cough is harsher. Twenty-five drops of acon and fifty drops of muriate tincture of iron in water, given three times a day, is th remedy used.

There have been some cases of hog-cholera in this locality. When attacked animals swell and turn purple about the jowls, and have a white appearance abo the nose and mouth. If not immediately attended to they will die in three or fo days. Aconite in water (twenty drops) is used as a remedy. If the hog does not vom within two hours, ten drops more should be given. Rub the neck and jowls twic with an ointment made of four ounces of iodine mixed with one pint of lard.

Chicken-cholera has prevailed here for several years past. They often die befor you are aware that there is anything the matter with them. When attacked they re fuse food, the comb becomes very dark, almost black, as does the flesh after death.

Mr. J. F. TUBB, Poplar Bluff, Butler County, Missouri, says:

A disease prevailed among hogs in this locality last summer, and about one-tenth of this class of farm-animals died of it. The disease was called measles. The anima would first break out in small red spots, which would soon turn into large sores After this death soon ensued. No remedy was found that proved of any benefit.

Mr. E. BURKET, Arch Springs, Blair County, Pennsylvania, says:

There have been very fatal diseases prevailing among fowls in this locality for some years past. I have known many flocks to nearly all die, and some of them were composed of perhaps one hundred and fifty head. During the fall I lost ninety head myself. The disease seems to prevail at any season. We have found cayenne pepper

mixed with corn-meal, about as good a remedy as any. There are many other remedies used, such as alum-water, asafetida, red pepper, &c. There was no disease among fowls here until the foreign varieties were brought into this locality.

Dr. R. J. SPURR, Lexington, Fayette County, Kentucky, says:

Ten or twelve years ago a committee of physicians was appointed by the Farmers' Club of this county to investigate the subject of so-called hog-cholera, then and now very prevalent here. The undersigned was one of this committee, and during the progress of this investigation a large number of *post-mortem* examinations were made, the subjects for examination being taken at all stages of the disease, from its incipient stage to its close in death. Copious notes were made of everything observed, but through the death of the chairman they have been lost, yet sufficient facts were impressed on the writer's mind to warrant him in bringing them to your attention. This malady among hogs is so well known that a description of its symptoms and progress is unnecessary. Suffice it to say that, whatever may be its cause, it does not occur in single cases, but when a herd of hogs is attacked by it but few escape. Pigs and small shoats seem more liable to it than older hogs. It also proves more destructive to the former than to the latter. As "there is nothing in a name," this disease had just as well be known by its popular name of "hog-cholera" as any other, although the name in many cases leads to doubt and hesitancy from the fact that looseness of the bowels is expected, when directly the opposite may exist. Purging may be present in one case, and constipation in another. In the *post-mortem* examinations made it was found that the lesions of the different organs were not uniform. The liver in one case would be found engorged or inflamed, and in another not affected. In another case the stomach would be found ulcerated or inflamed, while in still another it would be found in its normal condition. Some would have inflammation of the bowels, and others not; worms would be found in the bowels of some, while none would be found in others. There was one organ, however, in which the distinctive process was very uniform; indeed, in the forty or fifty cases examined I do not remember of a single exception. This was in the lungs, and is known as inter-lobular inflammation, and incident to the early stages of the disease. In more progressed cases there was no general diffused inflammation or hepatization. There was one other thing uniform in every case, and this was in the condition of the blood. This was placed under a microscope of rather feeble power, and the blood-disks or red globules were found to be changed from their normal configuration. In recent cases the number of disks found to be changed were limited, but very general in those where death had resulted from the disease. The blood-disk in the hog in its normal condition is nearly circular, has smooth edges, and when piled one upon another resemble somewhat small heaps of silver money without the milling around the edges. The change which had occurred was a shriveling or corrugation of the edges. Their appearance brought to my mind the scalloped edge of the bush-squash of our summer gardens. The cause of this we were unable to determine, from the fact that our microscope did not possess sufficient power for the purpose. We drew the conclusion, however, that they had been pierced or penetrated by some low order of organized life which we had not the facilities for detecting.

The writer is a farmer, and raises a considerable number of hogs annually, but he has not had this disease among his swine since the investigation detailed above, although it has prevailed to a considerable extent upon adjoining farms, and in a few instances diseased hogs of the neighborhood have mixed with his herd. He has persistently pursued a course of prevention, which may or may not have been the cause of his exemption. His course has been to give his hogs salt and sulphur once a week in the proportion of two of the former to one of the latter, always giving them as much as they will eat. They should have it both in summer and in winter, and without any regard to weather. In addition to this he uses wood-ashes freely, upon piles of which he throws salt. He has pursued this course with the hope of preventing the disease, as sulphur is destructive to low orders of animal and vegetable life.

Mr. J. P. TYLER, Smithport, McKean County, Pennsylvania, says:

The most prevalent and fatal disease to which any class of farm-stock is subject here is black-leg among cattle. It rages only among dry stock and calves, or yearlings. When I came to this locality in 1870 I was told that the young cattle were dying off at a rapid rate with a disease that no one seemed to understand. I afterward discovered that this fatal disease was black-leg. With the exception of the past season, it has prevailed every year since. It seems to be more prevalent and fatal during the hot season of the year. I have never known a case to recover. The disease comes on suddenly, and generally terminates in death within from twelve to twenty-four hours. The symptoms are a swelling of some part or parts of the body, stiffness of the limbs,

and sometimes short and quick breathing. A blubber appears under the skin of part swollen, and the flesh becomes black, hence the name given the disease. The b preventive known is bleeding in the neck. Feeding of saltpeter with provender is said to be a preventive, but is not so sure as bleeding.

Mr. JOHN D. COOKE, Wheatland, Hickory County, Missouri, says:

Hog-cholera prevails here, and I have had it to contend with. After fruitless periments I am satisfied there is but one thing that will cure or prevent the dis and that is too expensive. I am sure that if a beef could be slaughtered every da two, and the carcass given to the hogs, that the well ones would escape the dis and those not too sick would be cured. Blue-mass for fowls suffering with the cho will be found of more real value than anything else.

Mr. E. W. HAMLIN, Bethany, Wayne County, Pennsylvania, says:

Black-leg, or hoof-disease, among cattle has proved fatal in numerous cases here. very few of those attacked recover.

Large numbers of young pigs died last spring from pneumonia or inflammation of lungs. No remedy was found.

Mr. J. T. HESTER, Corsicana, Navarro County, Texas, says:

Horses and cattle are measurably healthy, but hogs are pretty generally affe with something like cholera, and the losses are quite heavy. No specific remedy yet been found, but a teacupful of turpentine to one half bucket of shelled corn, w mixed, has proved quite beneficial.

Fowls are subject to a disease which causes them to droop around for a few da and then die. They rarely recover. The disease is generally called cholera. No re edy has been found. Your department will confer a great blessing on the countr it succeeds in finding a cure for cholera in hogs and chickens, and liver-rot in she This last-named disease can be prevented, but with present lights on the subject cannot be cured.

Mr. WILLIAM S. RAND, Vanceburg, Lewis County, Kentucky, say

Hogs being the staple product and source of the principal revenue of this coun I have given special attention to their treatment and the diseases to which they a incident. In the limestone sections of this county the fatality of diseases has be most disastrous. Hog-dealers have tried all the remedies and practiced every kind treatment. In herds where an animal has died those remaining have been separat and quartered in small lots in distant localities, and this treatment has generally be more successful than any other. The symptoms of the disease are widely differe and what will cure one would seem to kill two. Sometimes temporary relief may be o tained, and the animal apparently be in a fair way of recovery; but in all probabi in a day or two afterward it would be found in a dying condition. Mr. Brazil Lyle, hog-raiser in the mountains, has been successful in treating the disease with the tr use of coal-oil, given in half pints and by injection. The same remedy has failed el where. Capt. Jack Henderson, who has had large experience in the treatment of th disease, has arrived at the conclusion that it is incurable. He has tried all the rem dies, but his losses have been very heavy.

It has been stated and generally credited that the mountain or mast fed hogs escap this disease. In order to satisfy myself on this point I this fall made a protracted tr to the mountains of Eastern Kentucky for the purpose of observing the operations the disease in the very highest latitudes of the State. In two instances the whole o two herds of fat hogs, ready for the market, died within two days, shortly after m arrival. They had previously shown no symptoms of the disease. Other lots, in the same neighborhood, showed no signs of disease.

It is most painful to witness the disastrous results of this mysterious and fatal dis ease on the young farmers of the interior. They grow a crop of corn to feed to hogs buy the hogs generally on credit for a few months, and then, when they are almos ready for the market, this scourge comes along and carries them all off. The farmer is left without corn or other supplies for his family, and is also in debt for the hogs which he has lost. I could name several instances where the wolf is now at the dor of many of the hard-working, honest farmers of this section, and if it is within the means of your department and the agency of the National Congress, in the name of God and humanity push forward the work for the speedy relief of the great producers of the land.

Fowls are subject to sudden and fatal attacks of disease. I know many farmers who have lost hundreds of fowls without warning. At the present writing the disease is prevailing extensively. All the remedies and preventives known have been used without effect. Whatever the papers publish is greedily accepted and tried, but generally

what succeeds in one locality fails in another. Those who take the most pains to avoid the disease suffer the most. New locations and fresh walks, with pure water to drink, is highly recommended. The latest preventive and cure is tobacco-pills, given when the fowls are drooping, either in food or otherwise.

Mr. L. D. VAN DYKE, Clarksville, Red River County, Texas, says:

The most serious disease affecting horses and mules and causing serious loss among these animals is called "blind staggers." For many years it was the prevailing opinion here that this disease was caused by feeding worm-eaten or unsound corn, but in 1875 our loss in this and adjoining counties was very serious, and we never had heavier or better corn than in that year. Stock not in use and fed entirely on grass are not liable to contract the disease, and nearly all those attacked would recover if they were turned on grass as soon as the first symptoms appear.

The first symptom of the disease is a disposition to sleep, and a dull, stupid appearance generally. As the disease progresses the animal becomes blind, and the disease soon assumes the form of brain-fever. Some die in twenty-four hours, while others may linger for weeks. I have relieved several by boring through the skull to the brain with a small penknife. They recover their sight immediately and become very docile; but it is evidently a disease of the stomach, and I think much of it is caused by too severe labor when the stomach is full, although it has raged here as an epidemic.

A disease affected the hogs in this county last spring which caused very great loss. It was evidently a disease of the lungs, as the symptoms were a dry cough and difficulty in breathing, similar to that produced by eating cotton-seeds. About 50 per cent. of those affected died. I am told that all were cured that were given copperas and gunpowder. Here in the South, where for many months in the year hogs have to find their own support as best they may, I attribute most of the diseases to which they are incident to worms. All diseases to which they are subject here are called cholera; but I have had no experience with regular cholera in hogs.

Much of the disease among chickens called cholera is produced by their eating henbane or nightshade, which grows very plentifully throughout this country. The chickens eat it with avidity in the spring season.

Mr. R. S. BROWN, Bethlehem, Northampton County, Pennsylvania, says:

Since the epizootic malady some years ago among horses, the most fatal disease, and the worst one that we ever experienced, was the spinal disease among the same class of animals. The horse would be taken out of the stable apparently well, and after being driven a mile or two would fall down, completely paralyzed, and unable to get up behind. As this disease appeared in the early part of winter, during snow and bad roads, unless within calling distance and with the assistance of a dozen strong men, the animal was in danger of perishing on the spot. I have taken mine home on low sleds, rolled them off into large and warm stables, padded them all round with straw to keep them from knocking their brains out in their frantic efforts to get up, and then used the following remedies with success: I took an empty salt-bag and filled it with clover-heads. Upon this scalding water was poured, and it was then applied to the skin as hot as could be borne. This was renewed every half hour by careful men during the whole night. The horse was then rubbed dry and a mild laxative medicine used for a few days. After that the horse was raised to his feet by means of a side of leather to which was attached rings and pulleys. This was done at intervals of six hours. The horse was allowed to stand about thirty minutes, when he was let down again, and this operation was then suspended for eight or ten days. If left to lie without being compelled to stand up they will never recover. Veterinary surgeons, who tried the old remedies of bleeding and purging, and applying turpentine to the spine, lost every horse so treated.

Disease among fowls has been general, and the losses have been very heavy. Neither the poor man's dozen nor the rich man's hundreds were spared. They died by hundreds and thousands. Most of them would droop for a few days and then die. Others would die upon their roosts or nests. Young and old seemed to fare alike. No remedies proved effective. The disease continued over a period of five or six years, until it was thought none would be saved. People continue to lose some, but the disease is now abating. The best remedy I know of is wheat-bran made into a thick paste with milk and liberally sprinkled with red pepper. They eat it ravenously.

Mr. AMOS WOODLING, Beach City, Stark County, Ohio, says:

Heavy losses have been sustained among fowls by the ravages of a disease called chicken-cholera. Entire flocks have been destroyed by it. The fowl becomes stupid, loses its general brightness about the head, diarrhea sets in, and the result is death within three or four days. After death the liver is found to be of a light clay color.

Dr. WILLIAM GUTCH, Blakesburg, Wapello County, Iowa, says:

I have special inquiry with reference to the disease among swine known here as hog-cholera. The symptoms are—the animal refuses to eat, vomiting and purging set in occasionally, but not uniformly; there are muscular twitchings of various parts of the body. Death often takes place within twenty-four hours. The causes of this disease are very obscure, as it occurs under every variety of sanitary condition. But from its extensive prevalence here, and from the manner in which it frequently spreads, I have no doubt but that it is highly contagious. Nearly every kind of treatment (including the use of many vaunted specifics) has been tried by the farmers here, but the uniform testimony is that they all fail to produce any benefit.

For several years past a highly fatal disease has prevailed in this section of country among different members of the gallinaceous family, viz., turkeys, Guinea hens, and domestic fowls. It is known here as chicken-cholera, and occurs especially where great numbers of fowls are kept together, and is, I believe, caused by bad sanitary conditions. The animal mopes around, has an uncertain gait, purges, and usually dies in a very short time—sometimes in a few hours, but generally not for several days. The remedies are thorough cleanliness and ventilation, with lime, sand, and a mixture of corn-meal and Venetian red. These, if they do not cure the disease, will usually prevent its further spread.

Mr. J. W. MEANS, Carthage, Jasper County, Missouri, says:

From my own experience I am prepared to say that hog-cholera is contracted by feeding and watering them in unclean places. My neighbor is now losing hogs every day, while I am losing none. I have about two hundred head on an adjoining farm. His hogs are fed in unclean places and sleep about old straw stacks, and mine do not. I feed plenty of salt, lime, and soda, and am satisfied hogs will not take the disease if given these preventives in time. I feed hundreds of head, and have never lost any.

I also feed a great many cattle, but have never lost any by disease. I use salt, ashes, and madder twice a week. A great many people lose cattle by allowing their hogs to run with them. When eating green corn the hogs chew the stalk until all the strength is extracted. They then drop it; it dries; the cattle eat it, and it clogs the stomach and produces what is called the "mad itch." A great many cattle have died from this disease this year.

Black-oak bark boiled in water to a strong sirup, and kept where the fowls can have access to it, will be found both a remedy and preventive for chicken-cholera. Sulphur fed with corn-meal is also good. Lime and ashes will destroy the lice which infest them.

Mr. F. M. CUMMING, Harrisonville, Cass County, Missouri, says:

This immediate vicinity has suffered immensely from the ravages of the disease known as hog-cholera. During the early part, and indeed almost entire winter, it disappears or scarcely makes an appearance, but during the months of March and September it breaks forth in most fatal forms, frequently causing the death of every hog on a farm. I have known as many as sixty and eighty to thus die in one week on a single farm, leaving not one to commence restocking with. The disease assumes two forms. The first, and what I presume to be cholera proper, commences with black discharges from the bowels, which continue until the animal "wears it out," or becomes a gaunt skeleton and dies from mere exhaustion. The second form commences with an utter refusal to eat, stupid appearance of the animal, high fever, very constipated bowels, and a great desire for cold water. This form generally proves fatal in three or four days. When dead, blood gushes from the nostrils, and upon examination the lights resemble coagulated blood of the consistency of cream. This disease causes greater losses to the farmers of this corn-producing countrythan all other diseases affecting farm-animals combined.

Mr. W. B. HARSHA, Harshasville, Adams County, Ohio, says:

A disease prevails among hogs in this section which is generally called cholera. Several herds were attacked by it during the dry weather of last fall. But I think instead of its being cholera it was pneumonia. The first noticeable symptom was coughing. Then follows fever, no desire for solid food, and constipation of the bowels. About all those first attacked died, but after we commenced doctoring we saved some. We gave a physic of sulphur and saltpeter, followed by the use of Fout's cattle-powders, or fluid extract of aconite and belladonna, equal parts, and one teaspoonful at a dose. Toward the last this cured nearly all the animals affected, and we believe the use of the cattle-powders prevented the further spread of the disease.

Mr. THOMAS D. TYLER, Ottumwa, Wapello County, Iowa, says:

Hog-cholera has been the prevailing disease among farm-animals here, and it has been very fatal and destructive. There is more or less of this disease every year, and those attacked seldom ever recover. The cause, in my opinion, is the lack of proper care. Large numbers are kept together, and they are allowed to sleep in old rotten straw-stacks, which engenders disease. With proper care I think the disease would entirely disappear.

Until this fall cattle have been very healthy in this vicinity. A disease is now prevailing among them which is very destructive. It is called "black-leg." The Weekly Courier of this place says: "William Shepherd, living four miles north of this city, has within a very short time lost eleven head of fat cattle from a disease which seemed to baffle the skill of the most successful veterinary surgeons. Yesterday he lost another fine animal, and sent for Dr. Hinsey for the purpose of holding a *post-mortem* examination. The examination was held, and the doctor informs us that he found that the cattle had been dying of 'malignant anthrax,' or black-leg. In the case he examined he found the cavities of the heart occupied by a clot of blood as black as ink, and nearly the size of his fist. The mass was firm and tough, and when removed the blood of the arteries, of the same consistency of that of the center of the heart, followed its removal in strings the full size of the arteries and several inches in length. The disease is very contagious from a dead carcass, or from the blood of the animal when tasted by other cattle. * * * The doctor gives it as his opinion that when stock is affected by this disease the farmer would, in the event the case proves fatal, do well to bury the carcass of the animal without even removing the hide. So far as known there is no remedy for the disease, and the best thing to do is to prevent its spread. Two or three other farmers have recently lost cattle."

The following treatise on this disease is from the pen of Professor Shaefer:

"Its attacks are confined almost entirely to animals that are in high condition or rapidly improving; we should say too high condition and too rapidly improving. In some instances the disease will give some warning of its approach; but generally the beast will appear to-day perfectly well and to-morrow he will be found with his head extended, his flanks heaving, his breath hot, his eyes protruding, his muzzle dry, his pulse quick and hard—every symptom, in short, of the highest state of fever. He utters a low and distressing moaning; he is already half unconscious; he will stand for hours together motionless, or if he moves or is compelled to move, there is a peculiar staggering referable to the hind limbs, and generally one of them more than the other; by and by he gets uneasy; he shifts his weight from foot to foot; he paws faintly and then lies down; he rises, but almost immediately drops again; he now begins to be, or has already been, nearly unconscious of surrounding objects.

"There are many other symptoms from which the different names of the disease arose. On the back or loins or over one of the quarters there is more or less swelling. If felt when it first appears it is hot and tender and firm; but it soon begins to yield to the touch, and gives a singular crackling noise when pressed upon. One of the limbs likewise enlarges, sometimes through its whole extent, and that enormously. It, too, is at first firm and hot and tender, but it soon afterward becomes soft and flabby, or pits when pressed upon, *i. e.*, the indentations of the fingers remain. When examined after death, that limb is full of red putrid fluid; it is mortified, and seems to have been putrefying almost during the life of the beast. Large ulcers break out in this limb, and sometimes in other parts of the body, and almost immediately become gangrenous; pieces of several pounds in weight have sloughed away; three-fourths of the udder have dropped off, or have been so gangrenous that it was necessary to remove them, and the animal has been one mass of ulceration. The breath stinks horribly; a very offensive and sometimes purulent and bloody fluid runs from the mouth; the urine is high-colored or bloody, and the fæces are also streaked with blood, and the smell from them is scarcely supportable.

"In this state the beast will sometimes continue two or three days, at other times he will die in less than twelve hours from the first attack. In a few instances, however, and when the disease has been early and properly treated, all these dreadful symptoms gradually disappear, and the animal recovers.

"It is to a redundancy or overflowing of the blood, the consequence of the sudden change from bad to good living, that this disease most commonly owes its origin. It is most prevalent in the latter part of the spring and in the autumn, and very often at these seasons of the year proves destructive to great numbers of young cattle in different parts of the States. It is sometimes, however, seen in the winter and the early part of spring, when the cattle are feeding on turnips. Some situations are more subject to this complaint than others. It is most frequent in low, marshy grounds and pastures situated by the side of woods.

"It is a disorder of high condition and over-feeding. The times of the year and the character of the cattle prove this. It occurs in the latter part of the spring, when the grass is most luxuriant and nutritive, and in the autumn, when we have the second flush of grass; and the animals attacked are those principally that are undergoing

the process of fattening, and that have somewhat too suddenly been removed fre scanty pasturage and low feeding to a profusion of herbage, and that of a nutritio and stimulating kind. The disease sometimes occurs when the cattle have been r moved from one pasturage to another on the same farm; but more so when they ha been brought from poor land at a distance to a richer soil. There are in the latter ca two preparatory causes—the previous poverty and the fatigue and exhaustion of t journey.

"This disease rarely admits of cure, but fortunately it may in general be prevent If the malady is discovered as soon as it makes its appearance, the beast should immediately housed, and then from four to eight quarts of blood taken away, accor ing to the age and size. Two hours after bleeding give a purging drink, as follow Epsom salts, 1 pound; powdered caraway seeds, ½ ounce; dissolve in a quart of wa gruel, and give (which will be found of a proper strength for young cattle from t age of one to two years).

"The bleeding should be repeated in three or four hours, if the animal is not ma rially relieved; and a third bleeding must follow the second, if the fever is unabate There must be no child's play here; the disease must be knocked down at once or will inevitably destroy the beast. The physic likewise must be repeated until it h had its full effect.

"As soon as the bowels are well opened the fever-drink No. 1 (tartar-emetic, 1 drach powdered digitalis, ½ drachm; niter, 3 drachms; mixed in a quart of thick gruel) sho be administered, and repeated morning, noon, and night, all food except a little ma being removed.

"At the first appearance of the disease the part principally affected should be fomen several times in the course of the day with hot water, and for at least an hour ea time. For this purpose there should be two or three large pieces of flannel in h water, that after one of them has been applied thoroughly hot and dripping to t part affected, another equally hot may be ready when this gets cold.

"As soon as the fever begins evidently to subside and the beast is more himself a eats a little, the fever-medicine must not be pushed too far. It should be remembe that this is a case of highly inflammatory disease which soon passes over and is oft succeeded by debility almost as dangerous as the fever. The ox therefore must not too much lowered; but, the fever abating, mildest tonic drink (gentian, 2 drachm emetic tartar, ½ drachm; niter, ½ ounce). Give in gruel.

"If this does not bring back the fever it may be safely continued once every day un the ox is well, or the quantities of the gentian may be increased and the emetic tart lessened and at length altogether omitted, the niter being still retained.

"A seton (of black hellebore root if it can be procured) should be inserted into t dewlap, and if the beast can be moved it should be driven to much scantier pastur

"Should not the disease be discovered until there is considerable swelling and a crac ing noise in some tumefied part, a cure is seldom effected. Bleeding at this stage the complaint can seldom be resorted to, or at least one moderate bleeding only shou be practiced, in order to subdue any lurking fever that may remain. If a cure is these cases attempted, the tonic drink should be given, which may invigorate the sy tem by its cordial and tonic powers, and prevent the mortification extending.

"The swelled parts should be frequently bathed with equal portions of vinegar a spirits of wine, made as hot as the hand will bear; or if ulceration seems to be a proaching, slight incisions should be effected along the whole extent of the swelli and the part bathed with spirits of turpentine, made hot.

"If ulceration has commenced, accompanied by the peculiar fetor that attends th disease, the wounds should be first bathed with the disinfectant lotion (solution chloride of lime in powder, ½ ounce; water, 1 pint; mix).

"The hot spirits of turpentine should be applied immediately after this and continu in use until either the mortified parts have sloughed off or the sore begins to have healthy appearance. The tincture of aloes or Friar's balsam may then follow.

"Since so little can be done in the way of cure, we next anxiously inquire whether there is any mode of prevention. The account which we have given of the disea immediately suggests the prevention, namely, to beware of these sudden changes o pasture; now and then to take a little blood from, or to give a dose of physic to, tho beasts that are thriving unusually rapidly, and whenever the disease breaks out o the farm to bleed and to purge and remove to shorter and scantier feed every anima that has been exposed to the same exciting causes with those that have been attacked The farmer should be particularly watchful during the latter part of the spring an the beginning of the autumn. He may thus save many a beast, and the bleeding and the physic will not arrest but rather assist their improvement. He who will not attend to a simple rule like this deserves the loss that he may experience."

Mr. JAMES C. FAIRBANK, Concord, Morgan County, Illinois, says:

In cattle some heavy losses have been sustained from "Texas fever," so called. The disease has been confined mostly to native cattle in this vicinity, and to these only in

ases where they have been in the same pasture, lot, or cars, or across the track of the Texas cattle. It does not seem to be contagious from being near in separate pastures. About two weeks after exposure the cattle cease to eat and soon die. In one case a man had eighty head of extra fine cattle, just ready to ship. In August he bought a lot of Texas cattle and turned them into his pastures. He then changed them, putting the native fat ones in the pasture where the others had been. They soon after commenced dying, and nothing seemed to check the disease until eight had died. They were sixteen-hundred-pound cattle. A neighbor went to Kansas and brought in thirty-five or forty head of steers weighing about twelve hundred pounds each. He did not know that they had been exposed in any way, and they could not have been except in the cars or in lots where they were temporarily quartered. Just two weeks after, and before he knew anything was wrong, two of them died. He finally lost nearly half the lot. Some effort was made to doctor them, but without success. The disease always disappears with heavy frosts.

Several cows have recently died, just after calving, with milk-fever. The only thing I have known to help them was to drench freely with melted lard and turpentine; say one pint of lard to two tablespoonfuls of turpentine, and repeat the dose, if necessary.

The hog-cholera, so called, has been the greatest scourge we have ever experienced. During some years from 60 to 75 per cent. of the hogs are lost by it. The usual symptoms, as now manifested, are a loss of appetite, cough, an inclination to scratch and sometimes to thump, and general lassitude. They then incline to "pile up" in their beds, and many of them die during the night. No purging or vomiting is observed, but rather a severe constipation, and the excrement is dry and hard. Many die just after drinking, especially fat ones. Some will eat their regular amount of feed until just before death, while others will become greatly emaciated and linger for weeks before death relieves them. Mr. Thomas Danby, of the English settlement, says he had a large sow to lie three weeks without either food or water, and then get well. Some years since a few of my fat hogs cracked open on the back. These cracks extended to the bone, and in some cases the fat and flesh sloughed off. A few affected in this way recovered.

Most hogs that die of cholera will bear gathering up and hauling to the grease-factory; but a neighbor of mine, who had some very fat ones die of a sort of congestion, attempted to skin them, but they were so offensive that he had to desist. The blood had settled all through them, and had turned the fattest portions of them very black. The bones were very tender and apparently rotten.

The disease seems to have no fixed or certain symptoms. Sometimes it will only attack young pigs, and only ceases when there are none left to kill. Entire litters often die while the mother remains comparatively healthy. In other instances only fat hogs may be attacked, but generally the heaviest losses are sustained among shoats weighing from 75 to 125 pounds. Very often its sweeps over a whole neighborhood, and rages as a contagious epidemic. In such cases only those exposed to the disease suffer, while isolated herds remain exempt. Upon the first evidences of the disease it has got to be the practice to separate the hogs and scatter them over the farm as much as possible, and if they are being fed on dry food to change them to grass. This course seems to have a tendency to check the disease. The losses generally range from 25 to 80 per cent. of all the hogs; sometimes it reaches even higher than this. I made an estimate once of a circle of one mile, taking my own place as the center, and within that circle 66 per cent. died. Mr. Danby, spoken of above, lost 160 out of 200 head.

The so-called cures are various, but as cures they are mostly failures. Preventives are often used with great benefit. But, however strangely it may seem, what may be successful as a preventive or cure in one case may utterly fail in others. Mr. Danby tried turpentine, using in one season ten or twelve gallons mixed in swill, but without success. He now feels that he has found a sure remedy in the use of quick-lime, ashes, and salt. He feeds it to his hogs once or twice a week, and if they are coughing and not eating with their usual relish he keeps it constantly in their feed-troughs. Since he commenced using this preventive he has lost no hogs. Mr. Carter, a relative of mine and a large hog-raiser, says he has never been troubled with cholera to any great extent. His reliance is upon the use of turpentine, salt, and ashes, regularly and steadily given.

J. M. Thompson, a neighbor, thinks he has a certain preventive and sometimes a cure for the disease, in a mixture composed of arsenic, copperas, sulphur, asafetida, lime, salt, and ashes. He feeds to them once a week, and, if cholera is around, oftener. He regards arsenic as the main ingredient. Samuel Newton recommends to every one the use of copperas, sulphur, and black antimony. He says their constant use has proved of great benefit to him, as well as to others to whom he recommended the prescription. Mr. H. Engleback fed a large number one year on slops made from ship-stuff, bran, &c., in which he constantly used soda. He had good success, while others immediately around him, who fed on corn, lost heavily. Some use ashes, sulphur, and salt, others copperas, ashes, and salt, and still another salt and ashes. These are generally used as preventives. If the hogs have cholera arsenic is given, and if they are

past eating they are drenched. During one year my son utterly failed with all the articles. Nothing whatever seemed to do his animals any good. They were large, fine, fat hogs, in apparent good health, yet they died daily. After a great many deaths he was advised to use mutton tallow. When this was used freely it seemed to check the disease, but when he ceased to use it, because of the expense, the disease returned with great fury, and swept off from 60 to 75 per cent. of those left. He is now using J. M. Thompson's remedy, and so far with success. I know of one case where a hog seemingly almost dead, was cured by drenching with melted lard and then giving it Mr. Thompson's arsenic mixture. The experience of all seem to be about this—preventives are a success if used regularly and judiciously, but if the hogs are once attacked there is nothing that will prove of much benefit. I think the disease is both epidemic and contagious. I have been through two sieges of it. In the first instance it was evidently epidemic, passing from east to west, and taking all in its course. In the second instance the disease was imparted to my herd by an infected shoat that found its way into my inclosure.

I forgot to mention in the proper place that I found some benefit result from burning and charring the carcasses of the dead hogs and feeding the refuse to the living ones.

This subject is one of vast importance to the farmers of this country, and I trust you may receive an appropriation sufficient to make a thorough and speedy investigation, in order that the cause may be discovered and a sure remedy be found.

Mr. H. H. MITCHELL, Lemon, Wyoming County, Pennsylvania, says:

There is no disease prevailing in this locality at present, nor has there been the past season. In an experience of over forty years as a farmer I have invariably found that an ounce of preventive is worth a pound of cure—that is, by judicious feeding and care I have found that all classes of farm-stock are less liable to be attacked by any prevailing disease than those illy cared for and in a measure left to shift for themselves. Protection from the blasts and storms of winter, plenty and frequent changes of feed, and an abundance of salt has always been my motto, and I have never lost but one cow and two or three calves by any disease in all these forty-odd years. The benefits of good care and feeding were very apparent during the prevalence of the epizootic among horses a few years since. By protection from cold currents of air, especially when the horse was wet with sweat, plenty of salt, potatoes, and laxative food generally, many animals escaped altogether, while those that did have it escaped without any serious results. I have lately heard of a very simple and sure remedy for this trouble. It is, to take five or six onions and put them in the feed box of the horse and let the animal help himself. After eating two or three he will begin to snuff and blow, when his nose will commence to run, and soon thereafter he will be a well horse again.

After having lost some valuable hens with the gapes, I took a tablespoonful of hog's fat, melted it, and poured it down the throat of one so near gone that it could not stand up. In a day or two, without other treatment, it had entirely recovered. Others may have known of this remedy. I did not.

Mr. P. E. WHITE, Denmark, Lewis County, New York, says:

A new disease made its appearance the past summer among horses, which is called spinal meningitis, and baffles all medical skill. In the last case which came under my observation the horse, to all appearance, was well in the morning but died before noon. The animal, when attacked, begins to droop very suddenly, refuses to eat, shows signs of pain, drops to the ground, and is never again able to rise. They usually lie flat on one side, and never seem to move a muscle even in the throes of death.

Colic, in its various forms, causes the death of more of our valuable horses than any other disease, and an effective remedy would be of great value to the owners of these animals. Various remedies have been prescribed for this disease, but they often fail. Colic terminates one way or the other in a very few hours, and therefore requires speedy and careful treatment.

We do not know of any prevailing disease in the herds of our county except that of abortion among cows. This direful scourge and fearful drawback to the dairying interests of this locality has been prevailing here for several years, and still continues with unabated progress. Thousands of dollars are yearly lost to the farmers by the ravages of this disease alone (we term it a disease, for we know of no other name to give it). We have known of large dairies where nearly three-fourths of the cows would abort, and yet no key has been found to unlock the mystery. It is well known that large sums of money and much time have been expended to solve this mystery without arriving at the true cause or source of the trouble. We would therefore recommend that abortion in cows be one of the diseases marked for a special and thorough investigation by your department. The welfare of the farmers and stock-growers of the country demands this.

In swine there has been more or less mortality the past season, especially among pigs from one to two months old. We have known of nine or ten pigs of that age to die one after the other, and all apparently of the same disease. The first symptom noticeable is a loss of the use of the hind parts. They commence to drag their hind legs after them, refuse to eat, and usually die within a few hours. Sometimes when affected with the disease they will give a squeal and drop dead without further ceremony. No remedies, so far as we can learn, have been administered for the arrest of the disease. Some call it a disease of the kidneys, but we are not prepared to state what it is. We only know it cleans out a pen of hogs (it prevails also among grown hogs) in double-quick time.

Mr. JOSEPH LOVE, Bacon, Coshocton County, Ohio, says:

The principal disease here among poultry is called chicken-cholera. The first thing we observe is a diarrhea. The head becomes pale and the fowl commences to droop and is disinclined to move about. There seems to be fever and thirst, the fowl drinking very often. When the internal parts are examined the liver is much swollen and is dark-colored. When a flock is attacked the greater part of them die. We have found no specific for it yet. We think the exclusive use of corn as food has a tendency to bring on the disease. In my own case I have found that rich bran mixed in dish-water and occasionally in milk makes a healthy feed; so does wheat-screenings. Pure water is very essential. Fowls are not as particular as other animals as to what they drink. They will drink drippings from manure heaps and other filthy places as greedily as from pure sources. I think cleanliness in all respects would ward off the disease.

Mr. M. STOCKING, Wahoo, Saunders County, Nebraska, says:

Previous to 1876 the swine of this county were healthy. The annual loss from disease probably did not reach 1 per cent. of the whole number. In the fall of 1876 the cholera broke out near Ashland, along Salt and Wahoo Creeks. During 1877 the disease has proven exceedingly virulent along all water-courses, and has baffled all remedies. In the beautiful valley of Wahoo fully 95 per cent. of those attacked have died. On uplands the disease has proven less virulent, many large herds having wholly escaped thus far.

The immense aggregate annual losses from disease which occur among our domestic animals, and the danger of importing others from abroad, imperatively demands national legislation and the establishment of a school where veterinary science shall be thoroughly taught.

Mr. ISAAC HOOFER, Lebanon, Lebanon County, Pennsylvania, says:

A few cases of what is generally termed cholera has occurred among hogs here, but the cases have been so few that the subject is hardly deemed worthy of notice.

Among horses the only disease deserving notice is "inflammation of the intestines," which, if not promptly attended to, generally proves fatal in a few hours. The symptoms are great restlessness, pawing the ground, letting themselves fall, and showing by many ways that they suffer great pain. The cause is chilling of the blood by drinking cold water when heated, or getting wet when heated, or sometimes it may be brought on from unwholesome food or irregular feeding. The cure is one ounce tincture of asafetida, one and one-half ounce tincture of opium, and one-half ounce of sulphuric ether, mixed with half a pint of water and given to the suffering animal.

Having made considerable inquiry among horse-dealers and horse-farriers as to the cause of diseases in horses, I feel satisfied in saying that over one-half of the diseases to which these animals are subject are brought on by irregular feeding, and three-fourths of the other half from unwholesome food and abuse.

Mr. GEORGE A. SHUMAN, Shermansdale, Perry County, Pennsylvania, says:

There has been some cases of what is called "black-leg" among young cattle in this vicinity. I don't know anything about the disease, but have heard that there is no remedy for it—that cattle that are attacked by it must die.

There have also been a few cases of cholera among hogs in this locality. There seems to be no remedy for the disease—at least all I have tried to doctor have died. Those that have free access to charcoal and mud-holes seem to escape the disease.

Chicken-cholera is very common, whole flocks dying within a few weeks. We have tried soft feed, in which alum was dissolved, and also put alum in the water which they drank, with, I think, beneficial results.

Mr. F. P. SCHOFIELD, Buffalo, Dallas County, Missouri, says:

Last year a good many hogs died here with a disease commonly called cho Doubtless this was the disease in most cases, but not in all. This year a few st hogs have died from the effects of like diseases. Few remedies have been used. these with but poor success. Turpentine, ashes, soft soap, &c., have seemingly che the disease in some few cases.

Mr. WILLIAM ZIMMERMAN, James X-Roads, Somerset County, Pe sylvania, says:

We are sometimes troubled with a disease known here as "black-leg" among cattle. In most cases the animal indicates great pain, and generally dies within a hours. If the skin be removed after death mortified spots are frequently found once arrested the disease, after losing half my herd, by daubing their feeding tro with pitch-tar, and feeding rosin mixed with saltpeter and sulphur.

The only trouble I ever have with hogs is the result of a kidney disease. Th generally cure by feeding corn boiled in strong lye. I also put wood ashes in the f ing-trough occasionally.

Mr. BENJAMIN M. HALL, South Eaton, Wyoming County, Penn vania, says:

What is called "hollow-horn" among cattle is frequent here. The remedies are slit the tails, bore the horns, and pour peppery, irritating fluids into the ears. Wh this is done the animal generally recovers.

A few winters ago a disease raged among our cattle for which we had no na They lost the use of their limbs, and would swing their heads back and forth as if great pain and distress. They died within from six to twelve hours from the time th were taken sick. I lost five head, and I believe every animal that was attacked di We were foddering corn-stalks at the time, and the corn-fodder that year contained unusual quantity of smut.

What is called chicken-cholera is quite common. One-third of an ounce of calo mixed with food for twenty full-grown fowls has been used as a remedy with g success. In neighboring towns, where fowls are kept confined in yards or pens, ma are dying. The disease is called roup, for which no remedy is known here. I am sufficiently acquainted with the disease to describe it.

Mr. J. W. STEWART, Lancaster, Schuyler County, Missouri, says:

There are no diseases that amount to anything among our farm-stock except am hogs, and they are so complicated I can scarcely describe them. Some of the anim seem to be afflicted with two or three diseases at the same time. At least four or t distinct diseases prevail in this vicinity. The first is the cholera, for which we ha no remedy. The second, "thumps," which is not very fatal. Indigo-water and c peras is the best remedy so far discovered for this disease. Third, quinsy, for wh no effectual remedy has been discovered. Fourth, bleeding of the nose. Fifth, eular, ment of the upper jaw. In this disease the hair becomes coarse like bristles, and sev to stand on end. Sixth, a very fatal disease, which kills the animal in less than s hours. I have seen hogs afflicted with three different diseases in a pen containing b eight animals. No remedy for the three last named diseases is known here.

Messrs. M. K. PRIME & SON, Oskaloosa, Mahaska County, Iowa, say

The breeders and pork-producers of this locality have been troubled a great d with what is termed "hog-cholera." In pigs the first symptom of the disease is cough. Some of them, if let run a few days or a week or two, will be attacked wi the "thumps." This is the first stage of the fatal disease of cholera. The next symp toms are stupidness, loss of appetite, inclination to lie in their nests, great thirst, an continuation of cough. Some will purge freely until all nutriment seems to hav passed from them. The urine becomes very red, and a slimy excrement passes fro the bowels. They live but a few days after these symptoms are manifested. Th symptoms of the disease are about the same in more aged and full-grown hogs. Ou opinion is that the disease is caused by feeding too much rich food, and then a sudde change on to pastures. Overfeeding also produces disease. The diet of a pig wh first commencing to eat, and also that of the mother while suckling, should be of light easily-digestible food, containing sufficient nourishment to sustain them well. Sho the pigs take cold and commence to cough, give them a small amount of Glauber salts sulphur, and ginger, or something that will produce a similar effect. Farmers gener ally use, and with considerable success, salt, wood-ashes, soapsuds, or small quantities of soft soap.

Mr. J. A. GUNDY, Lewisburg, Union County, Pennsylvania, says:

There has been but little stock affected by any disease in this county that I have heard of. The usual disease known as chicken-cholera prevails, for which every person has his own remedy, but nothing that has proved positively satisfactory. I have found white-oak bark the best remedy. It acts as an astringent, and should be given by soaking thin feed in the liquor.

I have often had my hogs attacked with a disease which affected them in the back and legs to an extent that they could not walk. I always found them ready to eat chicken excrement, which I gave them daily in quantities of say a half spadeful. The results were always satisfactory.

Mr. E. J. HIATT, Chester Hill, Morgan County, Ohio, says:

Our time has mostly been occupied in breeding sheep. We have made examinations of flocks in Vermont, New York, Pennsylvania, West Virginia, and to a limited extent in Missouri and Massachusetts, and also in our own State. We have found that climate, soil, and lay of land have a great influence in regard to the health of different breeds of sheep. Our experience has been largely with the merino breed, but not entirely so. We consider this section as healthy and well-adapted to the successful growing and improvement of the merino as any section we have visited. In this and adjoining counties the diseases of sheep that most prevail are more destructive to young animals—lambs and tegs—from lambing until the first shearing. There is a disease prevailing here in wet seasons which is very generally called "paper skin" or "pale disease." It is probable that a number of distinct and separate diseases, or causes, are here called one disease, and given the above name. Grub in the head, tape-worm, lung-worm, stricana or strichnia, and some others are frequently spoken of by the wool-grower as one disease—"paper-skin." The lack of a sufficient quantity and proper quality of feed is a great cause or assistant to diseases.

Grub in the head is not a new disease, but it is a very difficult one to prevent or cure, and it is more or less destructive on all kinds of soils and to sheep of all ages. There are two sufficient reasons why the disease is difficult to prevent: First, because the insect or fly that causes the disease eats but little or nothing during its life; and, second, because it deposits in the nostril of the sheep a living grub or larva. The disease is difficult to cure on account of its location. Turpentine and tobacco-liquid are sometimes administered with a syringe or by pouring in at the nose, but with not very good effect. The fly attacks the sheep more generally from the middle of June to September. Great injury is done to large numbers of sheep annually that are not destroyed. It is difficult to determine the per cent. that die, but the actual fatality is not greater than in some other diseases.

Perhaps more deaths occur from tape-worm than from any other disease, especially during wet seasons, when grass is abundant. It sometimes affects lambs at three months old, but does more damage to tegs just after weaning and previous to the appearance of good grass in the spring. Those affected become weak, pale, and do not grow; eat reasonably well, but irregularly; drink abundantly and frequently; in the first stages of the disease seem to lack power more than flesh. It has less effect on grown sheep. Those affected would appear to become wilted or shrunken; the skin becomes very pale and thin; the wool does not separate from the skin as in other diseases. In the last stages the animal lacks blood. Occasionally they die within two or three months, but more generally they live for a longer period. I have doctored for this disease with very good results, having cured nearly all cases that were thoroughly tested. I use pumpkin-seeds, and administer by either feeding in other feed or by making tea. I also feed pumpkins, including the seeds. Information as to the cause of the tape-worm, and a preventive or cure, is greatly needed by the sheep-growers of the country.

We have no knowledge of the cause of the lung-worm—a name given for the want of a better perhaps. It affects young sheep in a greater degree and to a greater extent than matured animals. The worm is a small white one, and is found in considerable numbers in the lungs, or in the tubes connecting the wind-pipe with the lungs. The disease is less frequent than either of those named above, but the fatality is greater in comparison with the number affected. The symptoms are weakness, failure to eat, loss of flesh, and a cough. This disease is but little understood by the wool-grower.

Stricana or strichnia is perhaps a very incorrect name for the disease I wish to describe. It is caused by a very small worm, so minute, indeed, that it cannot be seen without the aid of a magnifying glass. It is believed to cause the sheep to pick or bite the wool from its sides, flank, and other parts, until the fleece becomes more or less ragged and wasted. The skin becomes rough and shows symptoms of disease. It is not contagious, but attacks sheep of all ages. It is more damaging in flocks that have been closely bred "in and in" for many years; indeed, this is the case with most diseases. As both a preventive and cure, wood and cob ashes with salt are used with

partial success. We have seen sheep in Vermont and Massachusetts badly affect with this disease as well as in our own State.

A disease prevails in some parts of Ohio and Pennsylvania, and probably in so other States, that destroys large numbers of lambs annually. They are sometimes tacked by it at the age of three weeks, but oftener after they are two months o The stomach, liver, and gall seem to be the only parts affected. There have been few cases in this county, and we have no name for the disease. It is supposed by so to be caused by eating a poisonous weed, and by others by overfeeding on grass wh too young. Wool is sometimes found in the lamb's stomach. The best and fatt lambs are frequently destroyed by the disease, with but little duration of illness.

Heavy losses are also annually sustained by diarrhea and dysentery. Proper f and management have more to do in preventing and curing these diseases than m others. The treatment and medicine that have been most successful are the same those used in the human family for like diseases. A statement giving the best rem dies and treatment of all these diseases would be received by thousands of sheep-rais with great profit and many thanks.

Mr. A. G. GARDNER, Rutland, Meigs County, Ohio, says:

All farm-animals in this locality are comparatively healthy and free from epiden or prevaling diseases. With fowls, however, the case is quite different. The los have been heavy, and complaints are heard from every neighborhood of the terr ravage of what is termed chicken-cholera. Whole henneries have been depopulat No form of treatment appears to check the progress of the disease. I have never l a fowl myself, and yet I raise from seventy to one hundred annually. I give my fo full farm range, change my cocks each year by getting eggs from the best possi breeds, and select the best formed stock from these. They have high out-door roo ing-places most of the season, but in cold, winter weather I confine them in wa clean, well-ventilated roosts.

Mr. N. B. PETTS, Lincoln, Benton County, Missouri, says:

There is no disease existing among any class of farm-animals except among hogs, among this class of stock there are several diseases, viz., measles, lung-fever, cho and worms. In this vicinity and throughout this county measles has prevailed to alarming extent, and probably more hogs have died from it than from all other dise combined. But nearly every farmer designates the disease as cholera. In measles hog refuses to eat, lies much of the time in his bed, goes often to water to drink, not to wallow, and grows poor very fast. The hog has a slight hacking cough. If eruptions break out thickly all over the body the animal generally gets well; bu they do not, or after breaking out they should go back, the hog dies. There is a v offensive stench about their sleeping-places. Everything kept in a drug-store, an quantities to astonish and alarm an alopathic physician, has been given, and the w der is that so many have lived. All kinds of food have been given, but with no ap rent beneficial results. The only thing claimed to have done any good whatever a tea made from peach-tree leaves, limbs, or bark. This brings the measles out th and if the hog has a dry bed and is kept from water the chances are in his favor. bowels should be kept open, and not more than five or six should be confined in same pen.

For worms we give a teaspoonful of turpentine once a day for a week. From half to two-thirds of all hogs affected with diseases have died. I doubt if any h died of cholera.

Mr. E. D. RUSHING, Rock Point, Independence County, Arkans says:

A disease commonly called hog-cholera has prevailed extensively throughout t section. The symptoms are vomiting and purging, and death in a very short ti About two-thirds of those attacked die. Those that recover dwindle away and come almost worthless. Various remedies have been tried, but whether with a beneficial results is not known. A neighbor of mine, Mr. William H. Dood, after los about one-half his herd, used tar water, which seemed to check the disease; at least lost no more. The disease made its appearance in my herd in last September. proved more fatal among my pigs and shoats, though I lost some bacon-hogs. I fe sulphur and copperas in swill, and in about four weeks the disease abated. I lo about one-fifth of all my hogs. The disease is still raging in some localities.

Dry murrain prevails to some extent among cattle. If given in time, the followin remedy is said to be successful: Two dozen eggs well beaten and mixed with abou an equal quantity of soap-suds. Milch-cows seem more liable to the disease than other classes of cattle.

Mr. L. N. HALBERT, Bonham, Fannin County, Texas, says:

We are not often troubled with diseases of a prevalent character among farm-animals, yet now and then we have glanders in horses, a disease which the old Texans denominate "Mexican distemper." When introduced upon a farm or on a range it proves very disastrous, and is beyond cure. I had it in my stock in 1871, and before becoming satisfied as to what it was, I used every remedy within my knowledge or that I could hear of. Finally I resorted to what I now believe to be the only remedy—powder and lead. It is much more fatal, does its work more rapidly, and is more to be dreaded among mules than among horses. I lost some of my best plow-teams of both mules and horses before I was able to arrest the disease by a change of stables, lots, &c., and the killing of those afflicted. I have also been greatly annoyed with fistula, a very bad tumor or rising on the withers. I have used many remedies, such as scarring with spirits of turpentine, lancing and putting in arsenic, burnt alum, concentrated lye, &c., but never succeeded in arresting but one case, and that at a very early stage. This I did by burning with a red-hot ring, circling the rising. A sure remedy is to rowel with a red-hot steel spindle through the cartilage of the neck, just missing the blade-bones. This operation never fails to cure.

I ought to have stated, while on the subject of glanders, that the symptoms are thickness of wind and stupor from three to five days before the nostrils begin to discharge. The discharges frequently begin in the right nostril several days before the left one is affected. The discharges are of a yellowish color, sticky if taken between the fingers, and becoming more abundant and offensive the further the disease progresses in its fatal work. The disease continues until suffocation ends the life of the animal.

Mr. JOHN M. CHAPMAN, Charleston, Mississippi County, Missouri, says:

The fistula, a terrible and offensive disease, makes its appearance on the withers of the horse just at the top of the shoulder-blade, at first upon one side only, but if the progress of the disease is not checked it will finally pass to the other side. A bruise of some kind is nearly always its cause. This the horse may receive in various ways, by striking the top of his shoulders in passing under a low stable-door, by bites from another animal, by rolling on stones or roots, or by an ill-fitting saddle. The disease is easily cured by the use of the following remedy: Take one-half bushel of may-apple root and pour over it about four gallons of water, and boil down to one gallon. Strain this, and mix with it about one-half gallon of old grease. Place the mixture on the fire and stew down to one gallon. During this process throw into it about one-half pint of salt, then let it cool, and it is ready for use. It should be applied with a mop or brush every morning, but the sore should be washed clean the night before. An application of this remedy will cure almost any case of fistula in from two to six weeks.

Founder prevails to a great extent in this locality. The first noticeable symptom is the restlessness of the horse and frequent shifting of the fore feet. The pulse is quick and his nostrils have a red appearance. The horse indicates his sufferings by heavy grunts. He does not stand long upon his feet, but cannot lie down in the usual manner. After making several efforts to do so he will rise up, turn round, change his position, and resume his feints to lie down. The remedy for this disease is to bleed freely without delay. Let the blood run free, and take at least a gallon of it. The object of this is to draw away the blood from the overloaded vessels of the feet. Always bleed in the neck. After this prepare a kettle of hot salt water, and drench with it as hot as the horse can bear it. Next bathe his feet and legs with it, and rub them well with a rough cloth. Make this application three or four times in the course of an hour, and then rub well around the edge of the hoof with turpentine. Do not attempt to work the animal until he gets entirely well. Another remedy is to pour the frog of the foot full of turpentine, hold it up, and burn the turpentine out. This is a little barbarous, but it is an infallible remedy.

Pole-evil is a tumor that comes on the head, or, more properly speaking, on the extreme forward part of the neck, just back of the ears. It is generally caused by being struck on the head by an enraged groom, and if it produces no other bad results it is sure to raise a large lump. I do not know of a case that ever caused death, but if not checked, the disease will render the horse unfit for use. The same treatment as in fistula will always effect a cure.

Mr. G. W. JOHNSON, Humboldt, Hunt County, Texas, says:

Blind-staggers in horses is perhaps the most fatal disease we have here. The remedy is to bleed freely from the neck, taking enough blood to cause the horse to show signs of faintness. Then give a drench composed of a tablespoonful each of spirits of tur-

pentine, ammonia, and camphor, with about a pint of milk-warm water. Always drench through the mouth—never through the nose. Then burn tar, feathers, woolen rags, scraps of old leather, &c., under the nose. If this treatment is given nine cases out of ten will recover, if the horse is able to stand upon his feet when it is commenced.

Both dry and bloody murrain are very fatal to cattle in this vicinity. The best remedy for the first is a strong tea made of the common may-apple root, and for the latter saltpeter and guaiacum.

Cholera is the most fatal disease affecting hogs. The best remedy we know here is equal parts of guaiacum and copperas and Jerusalem oak seed, say a tablespoonful of each mixed in slops sufficient in quantity for five or six head of hogs. This has proved a good preventive as well as a cure.

Cholera is also fatal among all our domestic fowls. The best remedy I have tried is pulverized mustard-seeds. No particular quantity is prescribed, but it should be given freely. It will be found a cure as well as a preventive.

Mr. A. A. RUDY, Knob Lick, Saint Francois County, Missouri, says:

There are but very few, if any, diseases affecting horses, cattle, or sheep. Our main trouble seems to be with hogs and chickens. We have tried many remedies, some of which have proved of some value, and others of none whatever. It appears that every disease affecting either hogs or chickens is called cholera. Some of the swine are taken with a cough, and a swelling about the glands of the throat and neck, and generally live from one to ten days. Others have what I would call the measles. The skin becomes very red, and if they do not die, but on the contrary should recover, it will remain so for months. The following remedy, if administered in time, will be found an almost certain specific: Two and one-half pounds flowers of sulphur, one and one-half pounds pulverized copperas, one-half pound black antimony, and one pound of well-slaked lime. Mix well together, and then add one pound to a sufficient quantity of corn-meal or ship-stuff for twelve hogs. Put it in small piles on the ground, so that every hog will have a chance to get at it. As a remedy, it should be given every day until the hogs recover. After that, a like amount should be given once a month as a preventive. The hogs should, also, have all the wood-ashes they will eat. A good disinfectant may be found in lime. After slaking, take a broom, wet it in the lime-water and sprinkle it over the beds of the hogs, until the ground is white, and about the coops and roosts of the chickens, if they are affected with cholera.

Mr. W. W. MURPHY, Madelia, Watonwan County, Minnesota, says:

With the exception of "blackleg," so-called, among cattle, I have never known of any epidemic disease among farm-animals in this vicinity. This disease carries off each spring, generally in March and April, a number of calves. There appears to be no remedy known for it here. I never knew of a case being cured. The loss in any one herd is not very large, but the annual average loss in the county is probably $500.

Mr. E. B. CASSILLY, South Charleston, Clark County, Ohio, says:

There is no disease prevailing among farm-animals in this locality except cholera among hogs. This disease has been very prevalent in this neighborhood and adjoining counties during the past summer, but has somewhat abated. Very few farmers have escaped its ravages. Probably one-half the last spring crop of pigs have died, and also a large proportion of the older hogs. I hear of one farmer who lost one hundred fat hogs. Not one in fifty recover. The symptoms are drooping of the head and ears and loss of appetite, heavy breathing followed by thumps, and purging and vomiting. The disease terminates fatally in a very few days. I have never known one to get well. Remedies without number have been tried, but without producing any good results. At least one thousand hogs have died in this township (Madison) during the past summer, and yet no remedy of any value has been discovered.

Mr. L. T. CURRENT, Brownsville, Saline County, Missouri, says:

Several diseases prevail among hogs here, but they are all called cholera. In some cases the symptoms are similar to those of lung-fever in the human family. *Post-mortem* examinations in some cases show the lungs to be destroyed, and in others gorged with blood. In other cases the hog is affected with vomiting and diarrhea. These symptoms indicate cholera, a disease which generally proves fatal, in many cases, within a few hours. It is my opinion, as well as the opinion of some of our best stock-raisers, that most diseases of hogs are caused by worms, for upon examination their intestines have been found to not only contain worms but to show holes in various places, which were evidently made by them.

The remedies used are as various as the opinions of the farmers concerning the cause

of disease. Copperas is generally given, also sulphur, turpentine, and many other things. The best preventive so far found is black antimony and madder. It should be given about once a month. I use it and have never lost a hog. I also give my hogs coal and ashes, which also has a tendency to keep this class of farm-stock in health.

Fowls are also afflicted with a disease similar to cholora in hogs. As a remedy we use petroleum, onions, and common red-pepper. In the winter season these articles are mixed with thin feed, and in the summer in the water given them to drink.

Dr. P. A. FARIS, London, Laurel County, Kentucky, says:

Hogs are the only stock that we have much trouble with. They sometimes have dysentery, which I think is caused by eating clover, grass, and weeds, without a due proportion of grain, greasy slops, and salt to make digestion perfect. During the winter many are lost with mange, asthma, &c., which is caused by their sleeping in old straw and manure heaps. A few die from pleuro-pneumonia. But those who provide good dry leaf-beds for their stock, and feed them different varities of food, lose none.

Mr. SIMON DOYLE, Rushville, Schuyler County, Illinois, says:

In 1876 I lost 87 hogs by fever. They were invariably taken with a chill, followed by stupor and fever. There were no signs of cholera in any single instance, or any cough. Usually from four to six days, and sometimes from ten to twelve, intervene between the time of attack and death. I used many remedies, none of which were effectual in either curing or checking the disease. A large and strong sow, and the last one attacked, was the only animal that recovered. Some of my neighbors had hogs similarly affected. Others differed widely in the main symptoms, which were coughing, and bleeding at the nose, and death in from four to ten hours. In some cases worms were supposed to be the cause of death.

Mr. AMOS RILEY, New Madrid, New Madrid County, Missouri, says:

Hog-cholera, or "heaves," as some call it, is the most fatal of all diseases among farm-stock in this county. It is more fatal among the younger than the older hogs. Very few, if any, of those attacked recover. The symptoms are wheezing and cough, something like the thumps in horses. The duration of the disease widely varies. I have sometimes used corn, soaked in a solution of arsenic, with good effect. It is dangerous, however, to give this to pigs and sows. If the disease once gets into a herd it rarely stops until it cleans out (destroys) all the young hogs.

Mr. JOSEPH BORDERS, Painstville, Johnson County, Kentucky, says:

Farm stock in this locality is seldom affected with disease of any kind. Sometimes, however, that dreadful and very common disease known as cholera gets among our hogs and fowls and proves very destructive. Our hogs have escaped this year, but we have not been so fortunate with our fowls. The disease is general, and prevails at all seasons of the year. If there is any cure for it we have never been able to find the remedy. As to its cause I am ignorant. The disease scarcely ever reaches those fowls that are allowed to run in the woods and have a wide range.

Mr. SIDNEY GREIG, Vermillionville, La Fayette Parish, Louisiana, says:

Until within the last few years no fatal epidemic was ever known to exist among our domestic animals. But now, on the return of the spring and summer months, we have a disease which attacks horses and mules, and sometimes cattle and sheep, and is very fatal. From the rapidity of its action there is rarely time to administer any remedy, and if any is given, not knowing the nature of the disease, it is only a lick in the dark—death is certain. The disease is endemic in its nature, confining itself one season to a certain locality, when it will disappear, and the next season it will make its appearance several miles off. I have been a careful observer of this disease, for I have been one of the sufferers from it, and will give you as exact a diagnosis as I possibly can. The symptoms are drowsiness, loss of appetite, and fever. As the disease advances the animal becomes restless, and walks continually, although without seeming to suffer any great pain until the last hour preceding death, when the agony is intense and pitiable to behold. In the last stages a profuse sweating ensues, and the animal shakes as if in a congestive chill, and soon fall and dies. A *post-mortem* examination reveals the whole internal organs a mass of congestion, and the heart, liver, lungs, and intestines covered with a yellow, jelly-like substance. Neither a preventive nor a cure has as yet been found for the disease. The only preventive seems to be

found in the removal of the stock until cold weather sets in. After careful consideration I am fully convinced that it is a malarial disease, similar to that which affects the human family, but of a much more violent character. I have no doubt if like remedies could be applied in the beginning of the attack many animals could be saved. The causes, in my opinion, have the same origin as in cases of malarial or intermittent fever which afflicts the inhabitants of Lower Louisiana, viz: The want of proper drainage, the use of impure drinking-water, and the lack of proper care, especially of our work animals, for it is this class that suffer the most. The duration of the attack is from six to twelve hours.

When this disease makes its appearance, had we a competent veterinary surgeon to make a careful investigation of its symptoms from the first stages until the final act and a scientific *post mortem* examination held, there can be no doubt but it could be robbed of its present terrors, and many a poor man's heart caused to rejoice thereof.

Mr. HENRY M. DARNALL, jr., Gayoso, Pemiscot County, Missouri, says:

We have but little disease among farm-stock here, except blind-staggers in horses and a disease called cholera in hogs. Several horses have died of the former during the past few years, and the cholera has at times been quite fatal to the hogs. The first symptom of the last-named disease is a slight cough. Their eyes soon become inflamed, and they appear to get sore all over. They often have a number of abscesses and tumors on them. The disease is of several weeks' duration, and is generally very fatal. As a remedy I have used with good success one tablespoonful of carbolic acid in slop sufficient for twenty head of swine, giving it to them once a week.

Mr. A. M. ELLISON, Beaver, Douglas County, Missouri, says:

There are no diseases of any kind existing among farm animals in this locality except cholera in hogs. The first symptom of the disease observed is a refusal of the animal to eat. In some cases the teeth seem to be sore, so much so indeed as to prevent the animal from chewing corn. They often linger from ten days to two weeks, but the disease generally proves fatal within that time. Those that do recover generally shed most of their hair. A few animals are affected with a cough. We have no remedies for the disease.

Mr. M. S. BARTRAM, Ironton, Lawrence County, Ohio, says:

The disease among the hogs of this county is generally known as cholera. It has been very prevalent this year, and the losses have been quite heavy. One farmer lost 150 head, including stock-hogs, which was about all he owned. The disease does not seem to be so prevalent among fat hogs nor so fatal as it is to those in moderate condition. Those running at large seem most liable to the disease. No remedies are used.

A disease among chickens is very prevalent, and is not confined to any particular section or locality. It is supposed to be cholera. The only remedy so far used has been black-pepper, but without beneficial results.

Mr. C. J. C. BOYNTON, Pulaski, Williams County, Ohio, says:

For a number of years past we have been troubled with a disease known here as chicken-cholera. Three years ago this fall I had 150 head of pure breed and half-breed Light Brahmas. They were attacked with this disease, and in about a month or six weeks I lost over 100 head. When first attacked the head of the fowl would turn purple, and it would begin to droop and mope about. In a little while diarrhea would set in, and the excrements would be of a greenish color. The fowls lived but a short time after the first symptoms showed themselves; some would die in a very few hours while others would linger for a day or so. Since that time the disease has visited the flocks of about all my neighbors and with about as fatal results. We have found no sure remedy for the disease. We tried indigo in the water they drank, a solution of white-oak bark, and many other things, but without apparent benefit.

Mr. PETER HOLLOWAY, Monclova, Lucas County, Ohio, says:

A very fatal disease has prevailed among hogs in this vicinity. Mr. H. L. Holloway, of Springfield, had 90 head attacked with it. It seemed to partake of the nature of a lung disease, as it was attended with coughing and a high fever. The teeth also appeared to be tender and sore, as the animals could not bite corn off the cob. Those that died were almost completely covered with sores. The cause or origin of the disease is unknown. One theory is that they contracted the disease by lying and wallowing in the mud and water from the overflow of an artesian well strongly impregnated

with sulphur. The disease was first observed September 1, its greatest fatality occurred October 10, and the last death on December 20. Of the 90 head attacked, two were shot, three recovered, and all the rest died. The skin on those that recovered nearly all peeled off. They were in good condition up to the time of attack, having run in blue-grass and clover pasture during July, August, and September. Those that were afflicted were carefully cared for. The remedies used were arsenic, calomel, charcoal, sulphur, copperas, fresh meat, and carbolic acid, but without any beneficial effect. The age of these hogs ranged from four weeks to five years.

The disease is regarded as contagious, for the following reason: About the time of the commencement of the disease, but before he was aware of its existence, Mr. Holloway sold a sow and five pigs to a Mr. Graham. They were taken to a distant neighborhood and put into a pen with another pig. Soon after they were taken sick and died, as also did the pig which was confined with them. In an adjoining pen were six fattening hogs. One of these was taken sick, and in order to prevent the further spread of the disease Mr. Graham killed the balance.

There has been a very fatal disease prevailing among the chickens in this neighborhood, which is variously called the roup, the hen fever, and the hen cholera. Fowls attacked with it appear stupid at first; their combs turn purple, and they gape frequently. They have been known to die within four hours after the first symptoms were observed, and seldom live more than a day or two. Guinea-fowls seem to suffer from the same disease. The most successful remedy used was a strong decoction of white-oak bark, made by boiling in water and mixing with cornmeal, adding about two-thirds of a teaspoonful of cayenne pepper to the quart of feed. They also placed the ooze in vessels where the fowls had easy access to it. This seemed to check the disease at once.

Mr. C. LEWIS, New Vienna, Highland County, Ohio, says:

The hog is by nature a very healthy animal, and should be the same in his artificial or domestic state. Therefore, in investigating his present condition, reference should be had to his original habits and surroundings; and the nearer we can approach this in his domestic condition the better. We find that in his natural state his home is in the forest, where he can roam at will and indulge his appetite in partaking of its productions in the form of roots, grasses, herbs, fruits, berries, nuts, &c., in their proper season and natural purity; making his bed in leaves by the side of logs or other temporary shelter, changing the same at pleasure, and reconstructing his bed out of new material, and all the time using his "snoutish" proclivities to the full bent of his instinct. Thus we find him a healthy, and in his maturity a powerful animal. Now, the nearer we can conform to these first principles or habits of the animal the better, for the preservation of health and prevention of disease is far better than all the remedies known or unknown. In his natural condition we find him comparatively free from all filth, dust, and foul air, making his bed out of leaves or grass on the ground, sleeping few in a bed, and drinking pure water. And now, as to his domestic condition, I will not say habits, for he is no longer free to exercise these; and right here is the first line of demarkation between health and disease, and must be so considered if we wish to arrive at the truth of the matter. The cause of the disease seems to be more easy to point out than to remove. In the first place, there are, as a general thing, too many hogs kept together in the same inclosure, which gives them an opportunity to "pile up" in their beds when the weather is cold and stormy, becoming not only overcrowded but over-heated; thus laying the foundation for disease by disturbing their normal condition. By this confinement they are also compelled to a greater or less extent to be ever present with their waste matter, which at certain seasons is more detrimental than at others; hence at such times they are more liable to attack by the so-called epidemic diseases.

Another cause of derangement and disease is dust, which is generally most abundant at the season when the waste matter is most offensive and detrimental, thus producing a double aggravation of the cause of disease. Another productive cause is the habit of keeping the same stock of hogs on the farm for a number of years, even when there is an annual change of male hogs. If a change of pasture will make fat calves, an entire change of stock will certainly produce better and more healthy hogs, other things being equal.

Now as to the diseases to which the hog is subject: Though naturally healthy they can secrete a mountain of disease, and it does seem that a diseased hog is the worst diseased animal on the face of the earth. There appears to be an epidemic disease of the lungs, commencing with a cough and followed by loss of appetite, general debility, and finally running into something similar to lung-fever, which is generally fatal. The principal producing and exciting causes of this disease appear to be dust, too many occupying the same bed, foul air and exposure to cold, wet storms. (The disease seems more common among pigs and shoats.) There is also a disease of the bowels, which might be termed cholera or diarrhea, and seems to prevail more extensively among hogs

fed on dry corn. I have never known a hog fed on soft or cooked corn to be affect with the disease. There is still another disease, that of the spine or hind legs, wh appears to differ from the so-called "kidney-worm," and is not unlike rheumatism it affects the human family. This is generally fatal. There are also diseases of t liver, intestinal worms, &c.

Mr. J. M. ANABLE, Naples, Ontario County, New York, says:

We have been very much annoyed by abortion in cows. It seems liable to come at any time. No cause has been discovered, and of all the remedies that have be tried none have proved of the least benefit. When it gets into a herd it genera affects from one-third to one-half.

There have been a few cases of blackleg among calves that were in good conditi About all of the cases proved fatal. No preventives or remedies have been found.

Garget or udder-ill has been the source of much annoyance with our best cows. T disease affects the udder and causes the milk to become lumpy; if the disease is seve it becomes bloody, the teats swell, and hard bunches appear on the udder. As a reme one quart of warm lard and one-half pint of molasses given as a physic, together wi frequent bathings of the bag with cold water and drawing off the milk three or fo times a day, will be found beneficial. If inflammation should be great apply fome tation to soften the udder, and use a mild liniment or ointment. About 20 per ce of our cows are affected by this disease, and about 10 per cent. of these are render unfit for dairy purposes.

Mr. H. H. WILSON, Salem, Livingston County, Kentucky, says:

In 1874 I had ten head of shoats that took the cholera, and eight of them died. tried many remedies, among others tea made from May-apple root, red pepper, as fetida, &c., in slops. I also gave them soft-soap and salt mixed with wheat-bran, the rate of about one gallon of soft-soap to sixteen head of hogs. Only those ho that were able to eat the preparation recovered. I have since given soap and red-pe per tea as preventives, with, I think, good results. A neighbor of mine, Mr. Pe Graham, who is one of the most successful hog-raisers in this county, says that pe root tea will cure cholera in hogs.

Mr. R. L. RAGLAND, Hyco, Halifax County, Virginia, says:

Diseases among hogs in 1877 were unusually prevalent. More than half of tho attacked by cholera died. Measles and quinsy were not so fatal. Measles was th most prevalent disease during the past year. Cattle are annually subject to disea per, a violent grade of fever that prevails more or less every year. More than half the animals attacked by the disease die. We have no reliable remedy for it, but hav found a preventive that has proved very efficacious. It is this: To a bushel of r clay add one gallon of salt, four ounces of saltpeter, and two ounces of sulphur. M adding sufficient water to make the mass of the consistence of mortar, and put it troughs for the cattle to lick.

Mr. J. K. KIDD, Kiddrige, Osage County, Missouri, says:

Hog-cholera, so called, has been and still is quite prevalent in this section of th county. On the first indications of the disease the hog sometimes coughs, but not a ways. Sometimes they are constipated and again quite lax. They refuse food, g about in a kind of listless, drooping manner, and apparently have fever. Several hav died on my place. They were not confined in pens, had an extensive range, selecte their own beds, and in doing so avoided the hog-house. A variety of remedies wer given them. Sweet milk and allspice, poke-root juice administered in slops, coal-ash sulphur, &c., were given, but with little apparent benefit. A majority of those at tacked die.

Chickens are also subject to a disease called cholera, for which no specific has be discovered. Those affected seem stupid and drooping, the crop and liver swell, and they die suddenly and by dozens.

Mr. AMOS TODHUNTER, New Martinsburg, Fayette County, Ohio, says:

The most prevalent disease in this locality is among hogs, and is called cholera. A it has not visited my farm, I asked the assistance of Dr. M. Todhunter, who is familiar with the disease, and he responds as follows:

The first symptom is that of fever of a typhoid form. Then follows a disturbance of the head, lungs, and bowels. When the lesion was on the brain sores would appear about the head, and the ears would ulcerate and emit a very offensive stench. When

seated on the lungs there was an almost constant cough. When dead the lungs of some were found to be almost rotten, and smelled so bad that it was difficult to handle the carcass. In the absence of the above symptoms the animals seemed to live longest; that is, longer than when the lesion was on the bowels. The bowels ulcerate, and the ulcerated matter passes off with the fecal discharge. Constipation prevails in all cases. Those that are relieved earliest of this difficulty are the most apt to recover.

I tried all the remedies known, and they were very numerous, without much apparent good. The best treatment I found was to change frequently the locality of feeding, and to give them a good supply of salt and ashes, mixed with bran. This I fed whether the hogs were sick or well. I put the sick ones to themselves on a grass-lot, and fed lightly with slops, putting sufficient sulphate of magnesia into the slop to produce an operation on the bowels. I continued feeding lightly until there were signs of returning appetite, when I commenced gradually with corn.

I am of the opinion that over-feeding in the start is the cause of these diseases in swine.

As to my own experience I will say that I raise from 50 to 100 head of hogs annually on my farm. It has been my practice to change their locality quite often during the course of the season, and to give them all the slops and soap-suds from the kitchen and wash-house. I also give them ashes and cinders from both coal and wood, adding salt, and occasionally a little sulphur, which I think has a tendency to destroy the lice which infest them during dry weather. I do not house them unless the weather is very inclement. They seem to thrive best when they have plenty of leaves to bed in. Next to this is corn-fodder, wheat and oat straw not being so good. With this treatment my hogs have remained healthy, while those of my neighbors have been attacked and died of the various diseases to which they are incident.

Cholera also prevails in this locality among domestic fowls. Some farmers have lost very heavily. Many remedies have been used, but without apparent benefit.

Mr. W. A. Helm, Sugar Grove, Butler County, Kentucky, says:

The principal disease to which horses are subject here is a contagious distemper, which is most prevalent in the spring of the year, but frequently returns in the fall. The disease prevails throughout this State, and perhaps others. The first symptom is a slight cough, which continues until it renders the animal unfit for use. Loss of flesh, stupidity, and apparent laziness are characteristic. If the animal does well, after coughing for some days, it will eject large lumps of matter from the nostrils; but if the disease assumes a fatal form the throat becomes swollen, until breathing is almost stopped. It is not often fatal, but it frequently affects the breathing of the animal to such a degree as to injure its sale and use.

The prevailing disease among hogs in this section is what we call cholera. Whether it is the real cholera or not I do not know. The first symptom is a refusal of food. The lungs, lights, and liver all seem to be affected, and breathing is rendered very difficult. The disease has been very fatal in many of the Middle States, as it has here. The animals rarely, if ever, recover. When a cure does seem to be effected the hair always remains rough and of an unhealthy color.

Mr. George H. Judson, San Antonio, Bexar County, Texas, says:

The facility with which horses and cattle are raised here, without any care other than marking and branding, has bred a carelessness among farmers and stock-raisers that is truly deplorable. Trusting to nature entirely to provide food for their stock, when a cold winter follows a droughty summer, thousands of cattle and many horses die of starvation. The introduction of railroads has brought a new class among us, and they are bringing a better grade of cattle with them. Lands are being fenced and stocked, and some care is beginning to be observed in the treatment of farm-animals. Whether disease will follow is yet to be determined.

I have been a raiser of sheep for several years past. The only disease seriously affecting them here is apoplexy. Our oldest and fattest animals are generally the ones to suffer. From a small flock of 540 I this year lost 110 head, nearly all of which were wethers and excessively fat. There are no previous symptoms. To an inexperienced shepherd the sheep appears remarkably well, and apparently very happy, often frisky, when he suddenly makes a leap into the air, falls, and in less than three minutes' time is dead. This disease only occurs in excessively hot weather when water gets low, or when they have to be driven some distance to water. I have heard of no remedy of any value. Some starve their sheep by keeping them in their pens until eight or nine o'clock in the morning, and then folding them early in the evening. This may do, but I doubt it.

Last fall we had a new disease among chickens. Something like a pimple or wart appeared on the heads of the young chicks, and after a few days the chick would lose

its sight, and then wander aimlessly around until it starved to death. These warts made their appearance on the eyelashes and about the bills. Copperas-water was freely used, and all the adults saved, but the young chicks were not benefited. In fact, they were not much cared for, as they were a cross between the common fowl and Brahmas. Had it occurred among the full-bloods, in all probability they would have been saved. In all other respects the chicks were in good health, as they had an excellent appetite.

Mr. GEORGE W. MINIER, Minier, Tazewell County, Illinois, says:

Our chief trouble by way of disease is with swine. The disease is known as cholera, but doubtless the cause of it is an intestinal worm or parasite. Sometimes the lungs are affected. From the first the animal refuses food, it is mopish, coughs, and sometimes has what is vulgarly called "thumps," *i. e.*, shortness of breath with quick heaving sides. One of our best remedies is indigo dissolved in water. Our domestic fowls are affected much in the same way, and people give the disease the same name. Our more hardy and early varieties, such as Dominique, Game, &c., are seldom sick, and it may be that our finer varieties brought with them the germs of the disease.

Mr. R. H. LEE, Duvall's Bluff, Prairie County, Arkansas, says:

The principal diseases affecting cattle in this county are known as dry and bloody murrain. Dry murrain, which is supposed to be caused by insufficient supply of water, is cured by large doses of calomel. There are many other remedies for it. We have no successful remedy for bloody murrain, and very few animals attacked by it recover.

Horses are seldom affected with diseases, but last summer a neighbor lost five head with a malady previously unknown here. The animals were taken with a limping in the fore legs, but recovered from this in a few hours, when a high fever set in. The horses did not lose their appetites, but took feed liberally. Every case, and there were a good many in the neighborhood, proved fatal within from three to five days. Many different prescriptions were given, but they all failed to give relief. The animals did not appear to be much distressed at any time. They generally died very suddenly and without a struggle.

Fowls have what is called chicken-cholera, a disease which is almost invariably fatal. The liver is generally found to be very much enlarged. I have tried calomel, quinine, rhubarb, cayenne pepper, copperas, sulphur, and indeed almost everything else, without success.

Mr. JAMES BOWLDEN, Will's Point, Van Zandt County, Texas, says:

Most horses, but particularly young stock two years old, are, in the winter and spring of the year, attacked with a disease similar to the epizootic, and many stock raisers think it one and the same disease. It is generally known here, however, as the distemper. The symptoms are cough, swelling of the glands of the neck, and a profuse discharge from the nose of a thick, green-colored matter. It is sometimes fatal, but rarely so, and the animal often recovers without any help. All that seems necessary is good warm stables and careful feeding. Spanish fever attacks many animals brought in from other States. All imported animals are subject to this disease until they become thoroughly acclimated.

Cattle are subject to a disease called murrain, which generally proves fatal. Various remedies have been tried, but with little success. Imported stock (short-horns) are subject to a disease called by some Texas fever and by others Spanish fever. The disease is very fatal, as but few animals survive. No satisfactory treatment or remedy has been found.

Hog-cholera seems to be more fatal than any other disease affecting farm-stock. The symptoms are loss of appetite, blindness, dullness, and weakness in the loins. Kerosene-oil and turpentine have been used quite successfully as a remedy when administered during the first stages of the disease. Many suppose the cause of the disease is from worms in the kidneys, as these organs are found, after death, to be more or less affected. Chicken-cholera is also quite prevalent and fatal. We have no preventive or cure.

Mr. JAMES W. TERRELL, Quallatown, Jackson County, North Carolina, says:

Here in the mountains of Western North Carolina, by far the greater part of the income of the people is derived from the sale of horses and cattle, particularly the latter, while hogs, sheep, and poultry contribute in a smaller proportion. As we work

our horses and mules while young, and sell a large proportion of them after maturity, it is only in rare instances that one ever dies. The epizootic swept along in the fall of 1872, but by the time it reached us it had assumed so mild a type as to do but little harm, and it has not since reappeared. Our young horses sometimes have something like influenza, but it seldom proves fatal, the animals recovering without treatment. What is known as "bots" or "grubs" is the only really formidable disease that attacks the horse here. The symptoms are restlessness, loss of appetite, the eyes appear weak and the whites enlarged, or more apparently visible, the gums and lips pale and clammy. The animal frequently turns his head toward his flank, lies down frequently, but does not roll as with colic. As a remedy I can scarcely think of anything in the whole veterinary practice that has not been recommended. Sage-tea followed by a purgative, sweet milk and molasses, spirits of turpentine, a bluestone pill, are among the most commonly-applied remedies. I look, however, upon a copious drench, say a quart, of a strong decoction of the common garden tansy as the most efficacious. I do not give it as a specific, but I have not yet known it to fail, if given in the early stages of the disease. As a preventive, keep a cloth saturated with hog's lard in the stable during the months of August and September, and occasionally or daily rub the horse lightly with it over the parts where the "bot-fly" deposits its eggs or nits on the hair. These nits by some means get into the horse's stomach, and hatching there produce the grub. Grease kills the egg and prevents its hatching.

Hogs have cholera, or a disease which we call cholera, that in the last two years has cut our hogs down below the demand for home consumption. The symptoms are loss of appetite, disinclination to move, vomiting, diarrhea, eruption of the skin, loss of hair, and, of course, great loss of flesh. It is very fatal, killing, I think, over half the animals it attacks. It seems to be epidemic. I do not think it is contagious. What causes it? A writer in Illinois—*vide* Country Gentleman—says an exclusive corn diet; but here it attacks equally our hogs in the wild mountain range with those raised on the farm, those fed on kitchen-swill, garden-vegetables, or by a mixture of all these things. It also attacks all breeds from the Berkshire down to our native razor-backs, and all the intermediate grades. We have no remedy. A good many things have been tried, and sometimes the animal gets well, but I believe as large a proportion without as with treatment. My own experience, corroborated by that of some of my neighbors, is that a plentiful supply of fresh wood-ashes and charcoal, with a little salt, kept where the hogs will have continual access to it, is a preventive. One would be surprised at the avidity with which they will eat this mixture. I lay great stress on this preventive, for I do not remember that I ever had an animal attacked with the disease when it had been supplied with the mixture, and, as a verification of the adage that "an ounce of prevention is worth a pound of cure," I have never had a hog to recover from the disease.

We also have chicken-cholera, but I know neither remedy nor preventive. I only know the chickens refuse to eat, droop a few days, and die. A neighbor tells me: "Feed your chickens on dough made of corn-meal and soft (lye) soap and they will not have the cholera." It is simple and worthy of trial.

Mr. ALBERT BADGER, Nevada, Vernon County, Missouri, says:

Last year this county lost many thousands of dollars in horses, cattle, and hogs, and this year seems to be no exception, as the same diseases have prevailed to a greater or less extent every year for thirty years past. I believe this can be said of every county in the State. At least 80 head of horses have died in this county since October, 1877, from the effects of eating worm-eaten corn, and in all probability as many more will die before grass comes in the spring. It is true this loss can be avoided by carefully removing all worm-dust from the corn before feeding, but many never know the danger until too late. Others, boys and hired help, although often warned to be careful, are just the opposite. The symptoms of the disease are various; sometimes it results in blind-staggers, crazy fits, stupidity, and general prostration; sometimes they will sit for a long time like a dog. I believe, from the start, they are partially blind or entirely so. The disease has never been cured, and we sorely need an antidote for this worm-poison.

We also lose quite a large per cent. of horses every year by bots. The fly which produces this grub is very plentiful in prairie countries. Specifics are used which sometimes succeed in causing the worms to let go, otherwise the horse dies. I lost one of the finest animals in this part of the county during the past summer, within fifty minutes after he was attacked. One of my neighbors lost two last week, and so they go.

The most troublesome disease among cattle, which yearly hangs to us, is blackleg, for which we have no preventive or cure. The disease is most prevalent and fatal among calves and young stock. It invariably attacks and kills the fattest and most promising calves, and leaves the poor and runty ones. Either a preventive or cure would save millions of dollars annually to the people of this State. I might as well

state here that a drove of Texas cattle slipped through this county in September la and left a disease which killed at least $2,000 worth of native stock. I lost five head cattle myself by it, and I can say with all truth that we would all feel much safe we had a remedy for this terrible scourge.

Your department should never rest until Congress furnishes the means to sift terrible disease of hog-cholera to the bottom, and through science and experim find either a preventive or cure. There are more hogs that die of this disease ev year than are consumed by the people of the Western States. Our farmers co afford to pay one-fourth of the national debt to be relieved of this one disease; a if they had certain cures for poison by worm-dust, for bots and blackleg, the amo saved in twenty years would pay another fourth.

Cholera is very destructive to all kinds of domestic fowls. I have recently lost o one hundred chickens by it, and one of my neighbors as many turkeys. The loss w equal to 96 per cent. of our flocks. We have no remedy for the disease.

Mr. W. L. Robbins, Mayfield, Graves County, Kentucky, says:

For the last twelve months we have been suffering from a disease called hog-cholera Examination after death reveals an affection of the lungs and intestines. The he live but a short time after they are taken with the disease, and generally die in the beds and apparently without much suffering. We have been unable to find a remed Copperas, arsenic, sulphur, salt, and wood-ashes are used as preventives, and it thought with beneficial results. Not over 10 per cent. of those attacked recover.

We also suffer to some extent with chicken-cholera. Alum administered in wheat dough is regarded as both a preventive and cure, but it cannot always be relied upo as either.

Mr. George Hunter, Carlinville, Macoupin County, Illinois, says:

Presuming that breeders of the several classes of farm-animals and fowls will re spond to your circular-letter with such information as concerns mainly the class wit which severally they are most conversant, I shall confine myself to a few pertinen facts coming under my observation as a breeder of swine. I state upon careful in quiry and personal observation in my own neighborhood and adjacent localities, tha about 20 per cent. of the entire hog crop, in numbers, die annually of the various di eases incident to swine. Of this loss about 15 per cent. is probably due to hog-chole and the remaining 5 per cent. to other (practically) obscure ailments. In this sec of Illinois, which is one of the heaviest corn and pork producing regions of the We I should estimate the loss annually, in dollars, by the diseases among swine, as equ to about one-fourth of the entire hog product. From the mass of general statist information to which one properly turns in this connection, it may be inferred wit reasonable certainty that in this class of animals alone the country at large susta an annual loss of at least $15,000,000 by the ravages of disease, the State of Illin bearing perhaps $2,500,000 of the loss as her share.

As to measures of prevention or treatment (inquired of), whatever may be know to veterinary science, or possibly professional skill, nothing, by way of general rel has been accomplished. No precautions of a general character, to prevent the spre of contagion; no concert of action for the purpose of disinfection, has ever, so far as know, been attempted. And basing my observation upon the magnitude of the inte est involved, the wide-spread character of the evil, and the highly contagious and fat character of the disease prevailing, I respectfully submit that no amount of priva enterprise or personal effort can avail for the protection of the public good, and tha no system of prevention or disinfection can ever be adopted, of a sufficiently gene or uniform character, to be effective in protecting the public interests in this matte unless that system rests upon the authority of government, and an adequate fund such as Congress alone can provide.

It can scarcely be of service to increase the enormous mass of confused, illogical and contradictory reports of diseases and treatment which are found at every hand. enough already appears in these accounts to show that nothing more is to be hoped for in that direction. Facts enough have been laid before the public, observations and conclusions enough, bearing the test of scientific experiment, have been made, upon which to predicate the belief that a competent commission, having the requisite auth ity and funds, could easily frame and establish a system of simple sanitary measures which, being generally applied to this class of farm-animals alone, would result in a vas saving to the country, even though no specific cure for that dreadful scourge, "hog-cholera," should be discovered. Let the appropriation be made, let the commission be authorized, and let its investigations be thorough and searching. This I take to be the general view of the subject on the part of those who have given the matter atten tion.

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In the early recollection of the writer, say twenty-five or thirty years ago, this disease was very fatal to horses, probably not more than one in twenty being saved by treatment then in vogue. Since the foregoing remedy has been practiced from 50 to 75 per cent. of those attacked by the disease recover. The disease is prevalent only during hot weather, and seems to principally affect the brain. It is doubtless brought on by exposure to the sun either while working or grazing.

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Mr. J. L. SEARS, Valley Mills, Bosque County, Texas, says:

We lost a few of our horses and mules last winter by a disease called blind-stagger and this winter a good many work animals, both horses and mules, have died from similar disease. It is supposed to be caused or superinduced by worm-eaten corn. lost one horse and had several others attacked by the disease, but relieved them b smoking with pine-tar, woolen rags, and red pepper, and by giving them large dos of bromide of potash. I also bled in the neck. A very strange thing about this di ease is the fact that every horse attacked loses the sight of his left eye, yet you cann detect any difference in the appearance of the eyes. They both look natural, yet th animal cannot see one particle with the left eye. They will not see you if you approa them from the blind side, but as soon as you show yourself on the right side they be come alarmed, wheel from you, and throw themselves against the walls of the stab with such force as often to knock themselves down. When in the lot they will con tinue to turn round in a circle until they fall, and then, unless promptly treated, wi die in a few hours. Out of twenty attacked in this neighborhood ten have died Since quitting corn as a feed and substituting oats my animals have done well.

Swine have not done very well for the past two years. A great many have died from a disease called cholera, but I am of the opinion that a great many more die from the effects of eating cotton-seeds and cockle-burs than from cholera.

Mr. JOHN PITMAN, London, Laurel County, Kentucky, says:

The most troublesome disease we have to contend with is cholera among hogs. The losses were very heavy during last fall. With the cold weather the disease has disappeared, and no animals seem now to be affected with it. The first symptom of the disease is a stiffness of the limbs, the animal moving about like a foundered horse. The eyes become watery, the hog vomits frequently, and the excrements are bloody. The hog generally dies within twenty-four hours. The best treatment is to change their quarters frequently, and feed them turnips (tops and roots), potatoes, pumpkins, and such things. If they can be induced to eat, the chances are favorable. If they will not eat there is no need of giving them medicine. I had eight cases of cholera in the fattening-pen last fall. After five had died I turned the others out into a lot and fed on turnips, giving slops occasionally, in which I put a little copperas and salt. The three sick ones recovered on this diet. At the same time I lost about twenty pigs that were running at large. I gave nothing in the way of medicine, except calomel to one, and it died. The symptoms were stiffness, blindness, coughing, and watery eyes. The whole lot died within a period of twenty days.

Mr. W. B. FLIPPIN, Yellville, Marion County, Arkansas, says:

A few cases of hog-cholera are reported in the county, but whether the hogs die of cholera or from the effects of eating cotton-seeds where cattle are fed is hard to determine. I am sure that more die in this locality from the effects of feeding on these seeds than from other causes or with other diseases.

Professor JAMES LAW, of Cornell University, Ithaca, N. Y., says:

A life-long study of the diseases of domesticated animals has convinced me that government interference in such matters is altogether uncalled for, excepting in the case of such maladies as are communicable by contagion or otherwise from animal to animal, or from animal to man, and *vice versa*, and the existence of which in this country, or in one with which we have commercial relations, endangers our live-stock interests or the health of our people. Apart from these, the duty of the Executive will be sufficiently fulfilled in the foundation and maintenance of a fully equipped veterinary college and experimental station, similar to those of Continental Europe, and under such supervision and control as will protect it against those debasing courses which proved the ruin of the two earliest American veterinary colleges (Boston and Philadelphia). Such a school would be of unspeakable advantage in investigating the diseases indigenous to our different States and Territories, and in sending out men on whose knowledge and judgment the stock-owner may implicitly rely whenever such diseases appear. It would be more reasonable for government to undertake to make every one a physician and surgeon for the human race than to make every stock-owner a safe medical adviser upon the diseases of his six or eight different genera of domestic animals.

To furnish an account of the non-transmissible or sporadic diseases of animals that we see in this and in other localities would necessitate the writing of a considerable book, and I cannot do better in this respect than refer you to "The Farmer's Veterinary Adviser," which I published last year, and two copies of which will be found in the Congressional Library. It is true that these sporadic diseases are greatly increased by

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and but for the comparative scarcity of hogs in this region, would have proved m
more disastrous. Reports from different counties in Illinois show the present sea
as almost equally pestiferous, and doubtless in the absence of preventive meas
similar ravages will recur at frequent intervals, whereas the merest fraction of
loss would sustain an efficient system of prevention, and leave ample margin for m
taining a veterinary college and experimental station which would be a credit
safeguard to the country. I need not say more on this affection, having recently f
nished your department with an extended essay on the subject. (See Department
port, 1875.)

Texas fever.—Next to hog-cholera perhaps the disease which at present most enga
the public mind is the fever produced by cattle from the Southern States mingl
with our northern herds. During the great excitement of 1868 measures were adop
to prevent the introduction of such southern cattle into our Northern States, except
during the frosts of winter. But immunity soon bred carelessness, and now the su
mer traffic has again acquired wide dimensions, and every year we suffer extens
losses in our Northern and Eastern States. Within the last month I have traced no
than four outbreaks in New York—at North Bangor, Franklin County; Waterto
Schenectady, and Brighton, Monroe County. These are mere straws indicating
direction of the current, and doubtless many other smaller outbreaks have occur
at other points, as they are rarely acknowledged so long as the parties interested
preserve the secret. It is only when, as at Cleveland, Ohio, the losses become so g
eral that it is impossible to conceal them that the general public are apprised of
occurrence. The losses at North Bangor up to date have been seventeen, at Clevela
one hundred and thirty-nine. The losses in such cases, however, are not to be
mated by the deaths occurring on the infected pastures, but also by the loss of fie
incident to the disease of such pastures by the stocking of them with horses or sh
or to the fatal results occurring at a distance to which the hay from such fields
been sent. In all the above-mentioned cases the trouble has supervened on the
portation of southern cattle, and the parasites (ticks) of these are found on th
northern victims.

Nothing can be simpler or more certain than the prevention of this disease, bu
will never be permanently established by other authority than the general gove
ment. Safety consists in restricting the northern exodus of cattle to the winter sea
and sometime before the last frosts. But it is not to be expected that the Middle Sta
will prevent the through traffic which brings no danger to themselves, and the me
can easily be found to ship and reship, so that the stock appears to come fro
salubrious locality. (For description of Texas fever see department report on disea
of cattle, 1871; also report of New York board of health, 1868.)

Lung-fever.—This is a much more redoubtable affection than Texas fever, which
limited in its prevalence to our northern latitudes by the appearance of frost. Lu
fever knows no limitation by winter or summer, cold or heat, rain or drought, high
low altitude. In Western Europe and America it is a purely contagious disease, deper
ent alone on the pre-existing virus, and never arising spontaneously. This is am
proved not only by the records of the invasion of Ireland, England, Scotland, Americ
Australia, the Cape of Good Hope, Norway, Sweden, and Denmark, but also by t
preservation of countries (Norway, Sweden, Denmark, Schleswig Holstein, Oldenbur
Mecklenburg, Switzerland, the Channel Islands, Massachusetts, and Connecticu
which have treated it as an exotic, and even of such localities in plague-stricken cou
tries as breed their own stock and never import strange animals. Of the latter may
particularly mentioned the Highlands of Scotland, certain portions of the Che
iots, and parts of Normandy. This is the most insidious of all plagues, for th
poison may be retained in the system for a period of one or two months, or ev
more, in a latent form, and the infected animal may meanwhile be carried h
way round the world in apparent health, yet bearing the seeds of this dread pe
tilence. And this malady we harbor on our eastern seaboard, where it is gradua
but almost imperceptibly invading new territory, and preparing, when opportun
offers, to descend with devastating effect on our great stock range of the West. Th
is abundant evidence of the existence of this affection in Eastern New York, in N
Jersey, Pennsylvania, Maryland, Delaware, Virginia, and the District of Columb
(See government report on diseases of cattle, 1871, and many instances in curren
agricultural journals.) Within the past year I have advised in the case of thre
outbreaks, one in Eastern New York, one on Staten Island, and one in New Jerse
At present it creates little apprehension, but we are asleep over a smouldering volca
which only wants a little more time to gather strength, when the general infection o
the country will be imminent. Spreading from the port of New York, it has alread
gained a substantial hold upon seven different States, including the District of Co
lumbia, and has invaded and been repeatedly expelled from two more, and it is only
requisite that it should reach the sources of our stock supplies in the West to infect
our railroad cars and Eastern States generally. It will create no such panic as di
the Texas fever in 1868, but by its leisurely invasion of a herd, taking one victim now

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state here that a drove of Texas cattle slipped through this county in September last, and left a disease which killed at least $2,000 worth of native stock. I lost five head of cattle myself by it, and I can say with all truth that we would all feel much safer if we had a remedy for this terrible scourge.

Your department should never rest until Congress furnishes the means to sift the terrible disease of hog-cholera to the bottom, and through science and experiment find either a preventive or cure. There are more hogs that die of this disease every year than are consumed by the people of the Western States. Our farmers could afford to pay one-fourth of the national debt to be relieved of this one disease: and if they had certain cures for poison by worm-dust, for bots and blackleg, the amount saved in twenty years would pay another fourth.

Cholera is very destructive to all kinds of domestic fowls. I have recently lost over one hundred chickens by it, and one of my neighbors as many turkeys. The loss was equal to 96 per cent. of our flocks. We have no remedy for the disease.

Mr. W. L. ROBBINS, Mayfield, Graves County, Kentucky, says:

For the last twelve months we have been suffering from a disease called hog-cholera. Examination after death reveals an affection of the lungs and intestines. The hogs live but a short time after they are taken with the disease, and generally die in their beds and apparently without much suffering. We have been unable to find a remedy. Copperas, arsenic, sulphur, salt, and wood-ashes are used as preventives, and are thought with beneficial results. Not over 10 per cent. of those attacked recover.

We also suffer to some extent with chicken-cholera. Alum administered in wheat-dough is regarded as both a preventive and cure, but it cannot always be relied upon as either.

Mr. GEORGE HUNTER, Carlinville, Macoupin County, Illinois, says:

Presuming that breeders of the several classes of farm-animals and fowls will respond to your circular-letter with such information as concerns mainly the class with which severally they are most conversant, I shall confine myself to a few pertinent facts coming under my observation as a breeder of swine. I state upon careful inquiry and personal observation in my own neighborhood and adjacent localities, that about 20 per cent. of the entire hog crop, in numbers, die annually of the various diseases incident to swine. Of this loss about 15 per cent. is probably due to hog-cholera and the remaining 5 per cent. to other (practically) obscure ailments. In this section of Illinois, which is one of the heaviest corn and pork producing regions of the West, I should estimate the loss annually, in dollars, by the diseases among swine, as equal to about one-fourth of the entire hog product. From the mass of general statistical information to which one properly turns in this connection, it may be inferred with reasonable certainty that in this class of animals alone the country at large sustains an annual loss of at least $15,000,000 by the ravages of disease, the State of Illinois bearing perhaps $2,500,000 of the loss as her share.

As to measures of prevention or treatment (inquired of), whatever may be known to veterinary science, or possibly professional skill, nothing, by way of general relief, has been accomplished. No precautions of a general character, to prevent the spread of contagion; no concert of action for the purpose of disinfection, has ever, so far as I know, been attempted. And basing my observation upon the magnitude of the interest involved, the wide-spread character of the evil, and the highly contagious and fatal character of the disease prevailing, I respectfully submit that no amount of private enterprise or personal effort can avail for the protection of the public good, and that no system of prevention or disinfection can ever be adopted, of a sufficiently general or uniform character, to be effective in protecting the public interests in this matter unless that system rests upon the authority of government, and an adequate fund such as Congress alone can provide.

It can scarcely be of service to increase the enormous mass of confused, illogical and contradictory reports of diseases and treatment which are found at every hand. Enough already appears in these accounts to show that nothing more is to be hoped for in that direction. Facts enough have been laid before the public, observations and conclusions enough, bearing the test of scientific experiment, have been made, upon which to predicate the belief that a competent commission, having the requisite authority and funds, could easily frame and establish a system of simple sanitary measures, which, being generally applied to this class of farm-animals alone, would result in a vast saving to the country, even though no specific cure for that dreadful scourge, "hog-cholera," should be discovered. Let the appropriation be made, let the commission be authorized, and let its investigations be thorough and searching. This I take to be the general view of the subject on the part of those who have given the matter attention.

Mr. M. BLEVINS, Maysville, Benton County, Arkansas, says:

In reply to your circular-letter of recent date, I would say that out of 110 head of cattle I have lost 23 with a disease we call murrain, and out of 70 head of hogs I have lost 20 with cholera, so called. I think the average loss among the farmers in this county is about the same. We have no remedy for either disease.

Mr. M. A. KNIGHT, Middleburg, Clay County, Florida, says:

For many years past a disease called staggers has prevailed among horses in this locality. It is a disease of the brain, and in my opinion is brought on by over-work, or in permitting the animal to graze during the heat of the day. The symptoms are an entire loss of appetite, costiveness, restlessness, a disposition to walk and seemingly not caring where, and oftentimes describing a circle. As a remedy bleeding freely in the hind parts is practiced with considerable success. I prefer to cut off the end of the tail, and if necessary cut off a second time if the first operation does not give a free and continual flow of blood. Then bathe or rather pour cold water on the head until the disease is arrested. This should be followed by a good dose of Epsom salts, say one-fourth of a pound dissolved in water, and repeat if a free movement of the bowels does not follow the first dose.

In the early recollection of the writer, say twenty-five or thirty years ago, this disease was very fatal to horses, probably not more than one in twenty being saved by treatment then in vogue. Since the foregoing remedy has been practiced from 50 to 75 per cent. of those attacked by the disease recover. The disease is prevalent only during hot weather, and seems to principally affect the brain. It is doubtless brought on by exposure to the sun either while working or grazing.

Mr. WALTER BARNES, Larissa, Cherokee County, Texas, says:

Among hogs the principal diseases are known as cholera, quinsy, and kidney-worms. With cholera the symptoms are a constant retching, with slight mucous discharge, and staggering and apparent blindness. Death generally ensues within from three to twelve hours. The disease is very fatal, and but few of those attacked recover. I assisted a short time ago in opening a hog that had cholera last fall (1876), and during this year (1877) which had occasional spells of loss of appetite, without any other apparent ailment. The body, entrails, pleuro, and vitals of the animal were all grown together, and had to be separated with the knife. The liver was twice its natural size.

With the quinsy there is a difficulty in breathing and swallowing, which continues until the animal dies. I know of no remedy for either cholera or quinsy.

With kidney-worm the animal shows weakness in the hind legs, staggers, and unless relieved gets down in the loins and drags its hind legs on the ground until it dies. As a remedy give small doses of strichnine twice a day for three days, and pour a teaspoonful of spirits of turpentine on the loins twice a day.

Among fowls the cholera has been prevalent in many localities. Those dying of this disease are found to have an enlarged liver. Sometimes this organ is increased to two or three times its natural size. I believe fowls need salt as much as farm-animals, and mine get it. To my knowledge we have never lost one by disease, while all my neighbors lose more or less.

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a, and that length of time will, I think, embrace prior to that time I heard nothing of it. I have ars. I have known the disease to rage here an d conditions in which swine are kept. I have kn common kind, others of no breed at all—such as . I have known the same breed and quality of around the farm with free access to running w have known them to die in cleanly pens, where in filthy stys. I have known them to die of y were fed regularly and abundantly twice a da ept off by the scores in a grass pasture, while other aped; while at other times the clover pasture afforde er places. Nor have those who pay the greatest atten d their cleanliness and comfort fared any better than t o either.

rst made its appearance among my hogs, I was in the hab a animal on its back and pouring a tablespoonful of powdered oat. Every animal thus treated at that time got well. The s st season was without any beneficial results. I know of but one ered during the past summer, and it was treated to a copious adm e-tar poured down its throat.

nolera presents itself under so many different phases that it would be d to describe it. Each farmer in this vicinity would no doubt give a diffe on of it as it prevails among his own stock. Sometimes the animal will v rge; sometimes one of these symptoms will be prominent and the other ent ng; sometimes neither will be observed, but the animal will apparently be affe h sore-throat. At other times sores will appear all over the body, occasionally c g the loss of the animal's eyes or ears, and not unfrequently both. Sometimes most prominent symptom will be thumping, as a horse affected with the thumps.

I am satisfied that a knowledge of the cause or causes of the disease has not discovered, and I can but hope that the investigations making by your departm will result in finding either a preventive or a cure for this frightful and fatal dis

Mr. J. S. O. Brooks, Etna, Smith County, Texas, says:

No disease particularly worthy of note exists here except among hogs, whic always called cholera. I can add nothing to the statements of the learned contr tor of Rhode Island, as published in Agricultural Report for 1861, as it relates description of the disease, its progress and various phases. Cleanliness, pure air water, which this writer deems so important, do not appear to reduce the death of our hogs in the woods.

Hundreds of remedies have enjoyed a high reputation for a time, only to be aside after repeated failure. The most discerning agree that nothing seems to c Some get well without any attention whatever.

Whether the disease is atmospheric and contagious cannot be decided—some f point one way and just as many in another direction. It crawls slowly but surely every nook and corner, and sometimes with very singular manifestations. The lo 1876 was 66 per cent.

Mr. W. H. Denny, Crockett, Houston County, Texas, says:

The domestic animals of our county, with the exception of hogs, are generally healthy. Those that die, as a general thing, do so of old age, poverty, or accide injuries. All hogs that die here are said to die of cholera. It matters not what symptoms are, the duration of the disease, or anything else, whenever a hog gets one or more of the several remedies which are being daily published in the papers hog-cholera are administered. It may be that the hog has quinsy, pneumonia, or teric inflammation—it is immaterial which—he is certain to get copperas, blue-st sulphur, salt, soft soap, turpentine, carbolic acid, ashes, charcoal, calomel, tannin. Many of the remedies used must necessarily be hurtful, and some positively destr tive of life. Most of our farmers have no knowledge of the pathology of the dis of hogs or other farm-animals and are therefore not competent to give a correct di nosis of disease; consequently the treatment of sick animals is wholly empir routine, and frequently destructive of life.

Mr. Lafayette Ross, Tulip, Dallas County, Arkansas, says:

My hogs were nearly all sick and about half of them died last fall. The sympto were very different, but the results were about the same. Some would cough and

ger for a week or so and then die. Others would breathe rapidly, as if greatly fatigued, while still others would be purged, &c. My neighbors generally suffered as badly or even worse than I did. Those that escaped in the fall are losing their hogs now (February 2). A great many remedies have been tried, but with little success.

Mr. CYRUS RICE, Sardinia, Erie County, New York, says:

Occasionally during the past twenty years we have lost a few cattle by a disease which I think is diphtheria. Many have, no doubt, died for a lack of a knowledge of the disease, and others because remedies were not applied soon enough. The first symptoms are profuse weeping, quick and labored breathing, driveling, and, as the disease advances, the pulse quickens. In the last stages of the disease the blood courses through the veins like a running stream. The animal refuses to either eat or drink, its flanks settle in, and it wanders around until it finally falls down and dies. After losing six head by the disease, the writer saved several others by a free use of whisky, giving saltpeter and borax in the first stages. The last-named articles (a tablespoonful of each) can be given in a bran mash once in every two or three hours, if the animal does not refuse to eat. If it refuses to take food, the throat should be well swabbed. When the disease extends up the pharynx and into the cavities of the head, and a thick, yellow matter runs from the nostrils, it is questionable if the disease can be reached so as to effect a cure. A few years since a neighbor of mine cured a cow of the disease by feeding saltpeter and borax in the inside of potatoes, which she would eat. A year thereafter the cow had a second attack, which failed to yield to treatment, and she died. I do not doubt that any medicine that is efficacious in diphtheria in a person would be good in this disease in stock, providing it was used in time. Perhaps a free use of sulphur might prove beneficial.

There is another disease that, so far as I know, has always proved fatal, although of not very frequent occurrence. It usually attacks calves, yearlings, or two-year-olds. The first symptom noticed is seen in the animal lying down, a refusal to eat, and, in a short time, inability to get upon its feet. It generally dies within from twenty-four to forty-eight hours. On taking off the hide, the legs and body, on one side, appear as if bruised to a jelly. I think the jelly appearance is the result of inflammation, but the cause is unknown here. It is sometimes called murrain, but I doubt if that is the correct name of the disease. We have no remedy.